



BOMBAY SOCIETY FOR THE EDUCATION OF THE POOR.

THE ANNUAL SERMON in aid of the Funds of this Society, will be preached on Sunday the 22nd Instant, in St. THOMAS' CHURCH in the forenoon, by the Revd. AMBROSE GOODE, M. A.

Divine service will commence at 11 o'clock A. M.

BOMBAY SOCIETY FOR THE EDUCATION OF THE POOR.

THE ANNUAL MEETING of the Subscribers and Friends of the BOMBAY SOCIETY FOR THE EDUCATION OF THE POOR, will take place on Tuesday the 24th Instant, at 11 o'clock in the forenoon, in the Girls School Room, Byculla. The Right Honorable THE EARL OF CLARE, has consented to take the chair. BOMBAY, 18th Feb., 1835.

MRS. SPOONER—Wife of Richard Spooner, Esq., Second Assistant to the Collector of Tannah—has been compelled to seek her Parent's protection for self-preservation.

Mrs. Spooner assures him that he need be under no apprehension of her involving him in debt, and this assurance must become almost unnecessary, when he recollects that, for more than five months on a former occasion, when his conduct obliged her to leave him, he allowed her to be maintained, and had his law expenses paid by her Father's generosity and kindness.

BOMBAY, 18th Feb., 1835.

MESSRS. HAMILTON & Co. beg to intimate they are now selling off their goods, (viz. Jewellery, Plated Ware, Silver plate, &c. &c.) at PRIME COST, for CASH only.

In consideration of their being sold at PRIME COST: CASH ONLY will be received, and they trust after this explicit announcement, none will take it amiss, should any goods be refused them on other terms.

BOMBAY, 18th February, 1835.

ADVERTISEMENT.

HORMUSJEE ARDASEER & CO. beg to state, that they have lately received by the French Ship *La Gloria*, Captain Fourneau, from Bordeaux, the following Goods:—

Best Grand La Rose, Chateaux Margaux and St. Emilion Claret, from the well known House of Balguerie and Son, also Best Cogniac Pale Brandy, White Wine or Haut Sauterne, in Dozen cases, &c. &c.

H. A. AND CO. have also for sale, at their shop, the undermentioned very excellent Wines, bottled in London.

Best Pale Sherry, from the following Houses, viz.

Hopley and Lengam, Alexander Black and Co., Charles Bell and Pitman and Hullock, Best Port Wine from the first and last abovementioned houses.

Apollo Street, 18th Feb., 1835.

TO BE LET.

ONE upper-roomed and commodious House in Nesbit Lane opposite to Messrs. Leggett and Co's. Bakery.

Do, a lower do. next to the Gazette Office.

For particulars, apply to Moroba Sewjee, at the Gazette Office.

ON Wednesday next, the 25th Inst. at 11 A. M. Messrs. FRITH, BOMANJEE AND Co. will submit for sale, by Public auction, at their Rooms the following goods, vizt.

An extensive Invoice of Hardware, consisting of Brass moulding, Cast Butt Hinges, Wheel Casters, Press Hinges, Pliers Turn Screws, Bench Vices, Watchmakers Turnscrows, Brass Cocks, Door Handles, Cutting Nippers, Brass weights, Copper Powder Flasks, Tea Bells, Buggy Buttons, watch files, Coffee Mills, Garden Shears, Chisels, Plane Irons, Bramah Padlocks, Wood Screws, &c. &c. &c.

ALSO.

A large assortment of handsome British Porcelain Dinner services, of superior style and Pattern, which are now on view.

An Invoice of Gilt and Plated Fancy, Plain, and Sporting Buttons, Spare Gunlocks, Europe Letter Paper, &c. &c. &c.

AT NOON.

A Handsome London built Phaeton and Harness, the Property of Captain the Hon'ble G. F. Upton, with any other Carriages or Cattle, that may offer.

Bombay, 18th Feb., 1835.

ON Friday the 27th of February, 1835, Messrs. FRITH, BOMANJEE AND Co. will sell by Public auction at his late Residence Rampart Row, (over the Court of Requests) the Household Furniture and Property of C. N. Godwin Esq., deceased, comprizing, Plate, Plated Ware, Glass and Queens Ware, Dining and Breakfast Tables, Mahogany Chairs, Carpets, Bed and Dressing Room Furniture, Clothes Presses, a Billiard Table, &c. &c. &c.

Further particulars will be hereafter made known.

BOMBAY, 18th Feb., 1835.

THE FIFTY-SIXTH MADRAS GOVERNMENT LOTTERY.

FIRST CLASS.	
1 PRIZE of.....	20,000.
1 ditto of.....	15,000.
2 ditto of.....	4,000
3 ditto of.....	2,000
5 ditto of.....	1,000
10 ditto of.....	500
25 ditto of.....	200
40 ditto of.....	100
495 ditto of.....	50
000	1,00,000.

Tickets and Shares in the 1st Class of the above Lottery for sale, at FROMURZE SORAJEE'S, opposite to the General Post Office, at the following prices, viz.

Whole Tickets at Rupees 31 each.
Half do. 16 "
Quarter do. 8 "

The Drawing of the First Class will commence on Friday, the 20th of March.

Bombay, 18th Feb., 1835.

BILLS ON LONDON.

BILLS of the Royal Bank of Scotland, at 30 days sight, on THOMAS COURTS and Co. of London, may be had on application to the undersigned, in sets of £50, £100, £150, £200, £300, £400, and £500, at the Exchange of 1s. 10½d. per Bombay Rupee, until further notice; and from parties at Outstations, Remittances on the Civil or Military Pay Offices of Bombay, will be received in payment thereof.

RITCHIE, STEUART & CO. BOMBAY, 18th Feb., 1835.

E. I. UNITED SERVICE JOURNAL

AND BENGAL SPORTING MAGAZINE.

It is requested that applications for the above highly popular periodicals may be addressed direct to the Editor of the *Englishman*, Calcutta—all remittances on his Account however, should be made to Mr. Malvery—at the Circulating Library, Church Lane, Bombay.

Mr. Malvery is prepared to supply single copies of the *Sporting Magazine*, from February, 1831.

NOTICE.

THE Subscribers to DOCTOR BAKER'S work on the "Neilgherry Hills" are hereby informed, that their copies will be delivered on application at the Office of Messrs. FORBES and Co., who will receive the subscriptions for the same, viz. B'y. Rs. 13 per Copy.

BOMBAY, 18th Feb., 1835.

ON SALE, at the Godowns of Messrs. FORBES and Co., a few Butts of Sherry, from Messrs. RUSKIN, Telford, and Donecy, at Rs. 600 per butt, for Cash.

BOMBAY, 18th Feb., 1835.

ADVERTISEMENT.

ON SALE,—At the Godowns of Messrs. FORBES and Co., General Palmer's Claret in three dozen cases, at Rs. 36 per case, for cash.

BOMBAY, 18th Feb., 1835.

ADVERTISEMENT.

RUTTONJEE CURSETJEE, has the pleasure to announce to his Customers and the public in general, that he has purchased a part of the Investment, brought out by Captain FOURNEAU, of the ship *La Gloria* from Bordeaux, consisting of the following:—

Best Granaud La Rose, Chateaux Margaux and St. Emilion Claret, from the well known house of Balguerie and Son, also Best Cogniac Pale Brandy, in Dozen cases, White Wine or Haut Sauterne, Assorted Liqueur, Marascino, fine Anisette, Brandy fruits of sorts, Coloured Almonds, Comfits, Lavender water, &c. &c.

R. C. has also recently purchased an Invoice of very Excellent Wines, Bottled in London, viz. Best Pale Sherry from the following Houses, viz. Pitman and Hullock, Alexander Black and Co., Charles Bell, and H. Hemsley, Best Port wine from the first and last abovementioned houses.

Bombay, 18th Feb. 1835.

ADVERTISEMENT.

FOR Sale on commission, at RUTTONJEE CURSETJEE'S the following Medical works, latest Edition.

TERMS, READY MONEY.

	Rs.	qr.	rs.
vol. 1 Ainslie, on Cholera.....	1	0	0
Do. 2 Do's Materia Medica.....	20	0	0
Do. 1 Annetic, on Indian diseases.....	4	0	0
Do. 1 Armstrong's "Life and Opinions.....	5	0	0
parts 3 Ditto's Morbid Anatomy.....	10	0	0
Do. 1 Bichat's Anatomy.....	2	0	0
Do. 1 Blumenback's comparative Anat.....	7	0	0
vol. 1 Conolly's Indications of Insanity.....	6	0	0
vol. 1 Edwards, on Life &c.....	6	0	0
Do. 5 Good's Study of Medicine.....	35	0	0
Do. 1 Hennen's Military Surgery.....	8	0	0
Nos. 44 Lunet 32 33.....	5	0	0
vol. 1 Lawrence on the Eye.....	10	0	0
Do. 1 Ditto on Man.....	7	0	0
Do. 1 Medical Reports (Bombay).....	1	0	0
Do. 1 Poirson's Pharmacology.....	10	0	0
Do. 1 Quain's descriptive Anatomy.....	5	0	0
Do. 1 Bayer on the Skin.....	1	0	0
Do. 1 The Scalpel.....	1	0	0
Do. 1 S. Smith on Fever.....	5	0	0

Bombay, 18th February, 1835.

FOR sale at the office of Messrs. W. NICOL and Co., Bank of England notes of £20, £10, and £5, at 11s. 11d. per £.

RAMPART ROW, 18th Feb., 1835.

For London.

THE fine fast sailing Ship "SHERBURNE," of 700 tons, THOMAS WARREN, Commander; is expected to arrive here early in March, and will be dispatched for the above port, in the following month.—For freight or passage apply to Messrs. FORBES and Co., of whom plans of the cabins may be had.

BOMBAY, 18th Feb., 1835.

For Passage to London.

THE Bombay teak built Ship "BUCKINGHAMSHIRE," of 1468 Tons, W. F. HOPKINS, H. C. S., Commander; will be dispatched about the middle of March.—Apply to Messrs. FORBES and Co., of whom plans of the spacious cabins of this vessel may be had, and which carries a Surgeon.

BOMBAY, 18th Feb., 1835.

For Freight or Passage to London.

THE Ship AFRICANUS of 210 Tons, Captain WATKINS, has excellent accommodation for a small party, and will sail with all despatch. Apply to the Captain on board, or to Messrs. ADAM, SKINNER and Co.

DADY'S BUILDINGS, 18th Feb., 1835.

Freight or Passage to London touching at the Cape.

THE fine new Ship ANDROMACHE, 600 tons, JOSEPH ANDREWS, H. C. S. Commander, will be despatched early in March: has a Surgeon attached. Application to be made to Gisborne, Menzies and Co.

RAMPART ROW, 18th Feb., 1835.

To Sail March 1st for Calcutta, touching on the Coast.

THE Barque ABGARUS, Chas. DUNBAR, Commander. For Freight or Passage, apply to the Commander on Board, or to EDULJEE FRAMJEE.

BOMBAY, 18th Feb., 1835.

For Freight and Passage to London.

THE Ship PRINCE REGENT, 1,000 Tons, W. BOURCHEIR Commander; this vessel was lately one of the regular Ships in the E. I. Co's. service, has spacious accommodations for Passengers and carries a Surgeon. Is expected in all this month, and will be despatched again in all April. Apply to ADAM, SKINNER and Co.

Dady's Buildings, 18th Feb., 1835.

For Passage to Bordeaux.

THE fine fast sailing Ship "LA GLORIA," Captain FOURNEAU having good accommodation for passengers, and will be despatched next month. Apply to Captain FOURNEAU, at the Office of Messrs. WILLIAM NICOL and Co.

Rampart Row, 18th Feb., 1835.

Freight or Passage to Calcutta.

SHIP FUTTAY SALAM, Burthen 485 Tons, J. KEYS, Commander, will sail on the 20th instant.—Apply to HAJEE JACKARIA NOOR-MAHOMED.

Rampart Row, 18th Feb., 1835.

W. AND T. BUCKMASTER
TAILORS, and Army Clothiers of London, beg respectfully to inform the Officers of the Army and Navy, and their numerous friends at present resident in India, that they have removed their Establishment from their late residence in Bond Street to more extensive premises, No. 3 New Burlington Street, (3 doors from Regent Street).

W. and T. B., feel great pleasure in availing themselves of this opportunity to return most sincere thanks to their numerous friends for the very liberal patronage they have received in their various departments, and hope from their extensive experience and acknowledged punctuality in attending to orders, as also the advantages which more commodious premises will give them, to insure a continuance; assuring their friends they will use renewed exertions to merit the same.

No. 3 New Burlington Street,
(3 doors from Regent Street,) LONDON.

and No. 3 Molesworth Street, DUBLIN.

ADVERTISEMENT.

THE undersigned being about to close the accounts of the estate of the late Captain HENRY TUDOR, Free Mariner, deceased; requests that any persons being indebted to, or having claims against the said estate, will forthwith pay their debts and prefer their claims to the undersigned, or to Messrs. OWEN and Co., Bombay.

(Signed) J. CALDECOTT.

Sole Executor and Administrator.

ALLEPPY, 24th Jan., 1835.

BILLS ON LONDON.

FOR Sale, by the undersigned, Bills of the Royal Bank of Scotland, at 60 days sight, on Messrs. COURTIS and Co. London, in sets of £1,000 and £500, at the Exchange of 111d per rupee. Remittances from Purchasers at Outstations will be received through the Pay Office of Bombay.

ADAM, SKINNER AND CO.
Bombay, 18th Feb., 1835.

NOTICE.

THIS is to announce to the Public, that any debts contracted hereafter by my wife, MRS. ANN WATSON, are not available, nor will her husband, be responsible for, or yet defray, or pay them.

J. WATSON.

BOMBAY, 18th Feb., 1835.

FIFTY SIXTH MADRAS GOVERNMENT

LOTTERY IN THE FIRST CLASS.

TICKETS and Shares in the above Lottery, are for sale at the following rates, viz.

Whole tickets at 31 Rs.

Half ditto at 15½ "

Quarter ditto at 7½ "

Apply to **BYRAMJEE N. S. SERVANJEE** Dantra, at the office of Messrs. DIROM, Carter and Co.

TERMS CASH.

N. B. The drawing will take place on the 20th March, 1835.

BOMBAY, 18th Feb., 1835.

A CARD.

JAMES DUNLOP, respectfully begs to notify to the public, that he has opened a Farrier's Shop, in Kalkadevie Street, and humbly solicits the Patronage of a liberal Public. He most confidently assures them that he will pay every attention to all orders he may receive for shoeing, castrating, and extracting worms from the Eyes, &c.

Testimonials to his Character and abilities can be produced, if required.
Bombay, 18th Feb., 1835.

A CARD.

MR. W. H. BELL, Head Mathematical Tutor in the late Government Institution, will be very happy to receive immediately in his family, at his residence in Mazagon, children of both sexes, not above 12 or 13 years of age. In addition to the ordinary branches of education, including History and Geography, he will undertake to instruct in the principles of the Mathematics, and Introduction to Astronomy and Natural Philosophy. Masters will be procured, on separate charges, for instruction in Music. Particular attention will be paid to the moral and religious education of the children confided to his charge.

Terms.—Boarding, Lodging and Washing, Rs. 30 per month.

For further particulars, apply at Messrs. JAMSETJEE JEEJEEBHAY and Co's Office, in the Fort.

FOR SALE.

THE NEW BOMBAY DIRECTORY for 1835, carefully corrected and arranged up to the 31st December 1834. The **DIRECTORY** contains besides the usual local matter applicable to Bombay, a large portion of historical, statistical and commercial information of a useful nature, chiefly in a tabular form. It is printed on thick China Paper manufactured on purpose and the price is, five Rupees per Copy. Application to be made to the Price Current Purvoes, at the Custom House.

P. C. O., COLABA, 18th Feb., 1835.

FOR Sale on commission, at POL LUNJEE DHUNJEE'S Shop, the following choice wines from the Cape, recently received per bark *Elizabeth*, Captain W. KELSO, viz.

Hock wine in Pipes and half and quarter pipes, from H. VOS and CO. Dry Pontac wine in quarter pipes. Light wine in pipes, and half and quarter pipes from DICKSON, BURNES and CO. and Dutch Hock, in bottles.

Bombay, 18th Feb., 1835.

FOR SALE.—Marryat's Signals,.....Rs. 2
Respondentia Bonds, each, .. 1
Ships Articles,..... 1
Policies of Insurance,..... 1
Bills of Exchange per set, qrs. 2
Interest Bonds,..... 2
Bills of Lading,..... 2
Powers of Attorney, each, .. 2

Orders for Letter Press, and Copper Plate Printing, punctually attended to.

GAZETTE OFFICE, 14th Feb., 1835.

SHIP BUCKINGHAMSHIRE.

Buckinghamshire, off Bombay, February 14th, 1835.
DEAR SIR,—As the voyage of the *Buckinghamshire* has now drawn to a close, Sir Robert Grant and the Passengers, without exception, are very desirous to mark the respect they have for your character as an Officer, and the strong impression which your cheerful kindness and unwearied attention, have made on their regard.

They have therefore desired us as their Committee to request your acceptance of a piece of plate of 100 Guineas value, which while it remains a record of their esteem, will they trust, sometimes remind you of those who having sailed under your guidance, for five months in undisturbed harmony now leave you, with the most sincere wishes for your future welfare.

We remain Dear Sir,
(Signed) Orlando Felix, Very faithfully yours,
R. T. BARRA, W. SPILLER,
JAMES BIRD, G. A. STUART,
To CAPTAIN W. F. HOPKINS, &c. &c. &c.
W. MILLER.

Buckinghamshire, Bombay, February 14th, 1835.

GENTLEMEN,—I have received your letter conveying to me the expressions of regard, and good wishes of Sir Robert Grant and the passengers of the *Buckinghamshire*. I beg you will return to them my sincere thanks, and say that during the long voyage we have had, how much flattered I feel to think, that my poor endeavours to drive a way the monotony of a ship, have succeeded so well, and assure them the compliment they have paid me, by presenting me a piece of plate is very gratifying.

Wishing you and them, every happiness and enjoyment,
I remain, gentlemen, yours Obediently,
(Signed) W. F. HOPKINS.

MILITARY ARRIVALS AND DEPARTURES.

ARRIVALS.

Lieut. R. Knox, 4th Light Dragoons, from Kirkee.
Lieut. Atkinson, Engrs., from Jaulnah.
2d Lieut. E. Leach, Engrs., from Tanah.
Ensign N. Mylne, 7th Regt. N. I. from Poonah.
Assist. Surgeon H. P. Hathorn, 15th Regt. N. I. from Bhoj.
Lieut. Col. F. Roome, 7th Regt., from Dapoolie.
Major Pougol, Engrs., from Belgaum.

DEPARTURES.

Lieut. E. Whicheo, Assist. Commissary General to Ahmednagar.
Captain Thomas Cribborn, Grenadiers.

SHIPPING REPORT.

ARRIVALS.

Feb. 14th.—Ship *Pascoe*, William Morgan Master, from Manila 23d Dec., and Goa 7th Feb.
Passengers.—S. Bowman, Esq., J. Sindry, Esq., Major and Mrs. Pougol.
Do. 15th Ship *Earl of Clare*, Charles Daly Master, from China, 24th Dec. 1834, Singapore, and Quilon.
Passengers.—Mr. E. Elwon, Free Mariner, 10 Parsees, Mrs. Jeffrey, Mrs. Daly, and 3 Children.

DEPARTURES.

Feb. 14th Ship *Majestic*, Alexr. Lawson Master, to Liverpool.
Do. Barque *Soobrow*, Willoughby Smith Master, to the Cape of Good Hope.
Passenger.—Mrs. W. Smith.
Do. 15th Barque *Futrel* Raymon, Amroeden Nalquedab, to the Red Sea.

SHIPS LOADING.

For London.—John Marsh.
Do. Liverpool.—Otterspool.
Do. Bengal.—Discovery, and Futlay Sallam.
Do. Madras.—Brig *Napoleon*, and Schooner *Hamed*.
Do. Abooser.—Atlat Rahimon.
Do. Malay Coast.—Hamood, and Fazell Kurrim.

VESSELS IN THE HARBOUR.

H. M. Ships.—Melville, and Andromache.
H. Co's. Receiving and Guard Vessel.—Hastings.
Do. Do. Floating Chapel.—(Aurora).
Do. Do. Sloops of War.—Coute and Ternate.
Foreign Trade.—John Marsh, Caledonia, Otterspool, Ganges, Elizabeth, Andromache, Africacus, Buckinghamshire, and John Hayes.
COUNTRY SHIPS.—Discovery, Charlotte, Charles Forbes, Hamood, Futlay Sallam, Sophia, Lord Castlereagh, Hind, Helen, Cornwallis, Fort William, Caledonia, Ruparal, Ann, Fazil Kurrim, Sultanna, Abgaris, Pascoe, Earl of Clare, Grab Shaw Byramgore, Peimbur Savoy, Schooner *Hamed*, Robert Spankier, Prim, and Napoleon.
Portuguese.—St. Anna.
French.—La Gloria.
American.—Lady Sarah.
Brazilian.—Amizade.
Arab.—H. H. the Imam of Muscat's Ship, Futlay Kurrim, and Atlat Rahimon.

EXCHANGE.

	BUY.	SELL.
Six per cent Remittable Loan.....	131	1304
First 5 per cent Loan. No. 320, 1st class, 109½		109
Do. No. 321, 2nd class, 107		106½
Do. 1041, 3rd class, 109½		109
Do. five per cent Loan.....	109½	109½
Do. five per cent Loan.....	109½	109½
Bills on London.....	2s.	2s.
Bills on Calcutta 30 days.....	107½	107½
Bills on Madras 30 days.....	107½	107½
Canton Bills.....	210½	210
Spanish dollars per 100.....	221½	221½
Sovereign each.....	11	10½

HIGH WATER TABLE.

Feb. 1835.	A. M.	P. M.
18th Wednesday.....	2 31	2 51
19th Thursday.....	3 13	3 36
20th Friday.....	3 59	4 23

To Correspondents.

"MOOLIVER" we must decline, as also "DYING".
"N. ADMIRAL" has forgot his Character.
"OBSERVER" we have received, and shall see whether his letter is fit for publication.
"CAUTION" has been received too late for insertion. Why has he attempted to disguise his hand writing?
"CERBERUS" in our next.

THE GAZETTE.

WEDNESDAY, 18th FEBRUARY, 1835.

THE arrivals since our last are; the *Pascoe* from Manila 23d Decr. and Goa 7th inst., on the 14th instant, and the *Earl of Clare* from China the 28th December, on the 15th instant, the latter bringing us the Canton Register up to the 9th of December, from which, however, we gather nothing new.

By an Extract from a Calcutta Paper received this morning it appears that private letters, written in the month of January, quote opium at 625 Dollars, and state that a sudden rise of a Dollar per tal had taken place in Cotton on the 30th December, which was likely to be maintained.

We are requested to state that a meeting of the European and Native Gentlemen, who are desirous of establishing some useful foundation for the promotion of Native Education with the view of perpetuating the name of the Earl of CLARE at this Presidency, will be held at the rooms of the native education society on the Esplanade at one o'clock, this day.

Our native friends will pardon us for drawing their attention, in a more particular manner, to the object of this meeting, as, on a former occasion, we pointed out to them the necessity of their turning their attention to objects such as that now in contemplation. It is scarcely necessary for us to say that, by lending their hearty co-operation to the present proceedings, they

will establish lasting claims on the gratitude of their country, and testify, in a substantial shape, their respect for Lord CLARE. The ostensible purpose of the meeting will be, as our readers may perceive, to resolve on some measure having for its object the perpetuation of Lord CLARE's name in the Presidency of Bombay, and thus to afford an opportunity to the Native Gentlemen, who acknowledge themselves to be under a weighty debt of gratitude to his Lordship for having raised them to an equality with Europeans, and thrown open to them the career of honor and usefulness, of that obligation. This, we say, is the ostensible object of the meeting, but our native friends will see that a double advantage will be gained by furthering that object, as it will not only perpetuate Lord CLARE's name, but raise themselves another step towards that elevation in the scale of civilization which they are fast approaching to, and which it is their ambition to attain. Step by step let them thus proceed, and they will have the satisfaction of shewing to the world that they are capable of appreciating the privileges conferred on them, and are not ungrateful to those who have been the active instruments in obtaining those privileges for them. We hope, and trust, therefore, in lead we know, that they will, by their conduct at this meeting, give such evidence as will leave no doubt on the minds of any, of their wish to improve their country, and shew their gratitude to Lord CLARE. Looking to his Lordship's administration as a new era in their history, it is certainly most laudable in the native gentlemen to wish to hand down to their posterity some record of his valuable services to them. No record can be so lasting as that intended to be proposed at the meeting, and while the establishment of a scholarship will redound to their own credit, it must, we are sure, be a more gratifying proof of their attachment to his Lordship, than any other mark of respect which they could confer on him.

In noticing the account given by a Passenger, who left Calcutta in July last for England on board the Barque *Indus*, which appears in our Calcutta extracts of this day we cannot too earnestly call the attention of our readers to it, nor can we severely enough reprobate the conduct of the Captain of that Vessel for leaving Calcutta to proceed on so long a voyage without a Surgeon, and a sufficient supply of medicines. It will be seen that four persons died of a fever which broke out on board, a short time after the vessel had left Calcutta, and it was to be hoped that, had a Surgeon been at hand, the fatal termination of the disease might have been averted. Our motive in noticing the subject is to warn all persons leaving this Presidency for England by sea, to make it a stipulation with the Commander of the vessel, they intend embarking on, that a Surgeon be on board. It is a matter of so much importance that, adopting the view taken by the Bengal Hukaru, we think the authorities here should, if they are not vested with the power themselves, apply to the government of India to pass a law declaring that no port clearance shall be given until the proper authority is satisfied that a Surgeon is attached to the Ship and a sufficient supply of medicine placed at his disposal. We are aware there may be difficulties to getting such a law as we propose, passed, but it is a matter of too much importance to allow of trifling considerations to stand in the way. In the meantime however, passengers have much in their own power, and they therefore should at once decline taking a passage by any vessel leaving this harbour, which has not a Medical Gentleman on board.

By the *Madras Courier* of 5th instant, received on the 16th, we learn of the arrival there of the Ship *HINDOSTAN* from London 12th October, and by an extract from an English Paper given by the Courier, we see that the Court of Directors have declared their opinion that it is inexpedient, at the present time, to make any permanent arrangement for supplying the Office of Governor General, Sir T. C. METCAL, who was sometime ago appointed by the Court to act provisionally upon the coming away of LORD BENTINCK, being considered so eminently qualified for conducting the duties. This is another instance of the impolicy of vesting a controlling power in the India Board. Nothing could have induced the Court of Directors to pass this extraordinary resolution but the difficulties by which they were beset in filling the appointment permanently. Ministers had their favorite, and the Court had theirs; and it was objection enough against the Ministerial nominee, that he had connection with a set of men who had laid a sacrilegious hand on the venerable relics of the temple in Leaden-Hall Street, and had otherwise thwarted the Court in their measures for the Government of India. Charles Grant must have been particularly

obnoxious to them in this point of view, as he, in his official capacity as head of the Board, had to bear on his own shoulders, from time to time, all the odium which the late measures gave rise to. The gift of nomination ought to be in the one or the other, and not subject, to any check. It is true that in the present case (supposing the Court to have proposed some one of the individuals we have heard named before Charles Grant was spoken of) the interference of the Board has had the best effect in preventing the appointment of a person as Governor General who was, in no wise, calculated to fill the office, but the case might have been the reverse, and the same influence might have been interposed, to prevent the appointment. Thus the power of the Court of Directors becomes inoperative,—it is a mere shadow, and it would be much better for them (if Government will not entrust them with the exclusive right of appointment) to throw up the power altogether, than subject themselves to the humiliation of having their nominee sent back on their hands with a brand on his forehead. The Board, while it professes to be the mere approving power, does, in effect, exercise the powers both of nomination and approval. We have little doubt, therefore, that it was the wish to avoid a collision with the Board that induced the Court to postpone, for the present, the filling up the appointment, as, among the changes which the state of political feelings at home may be expected to produce, they look for a more favorable opportunity for acting on their own feelings, and wishes. The public of India as well as of England must therefore regret that any party feelings or party purposes should stand in the way of the appointment of Charles Grant as Governor General, than whom, it is allowed on all hands, there is none more fit. With regard to the resolution itself, we question whether the Board may not call on the Court of Directors to nominate a Governor General at once, as the provisional appointment of Sir T. C. Metcalf was only intended to take effect in the event of the death, resignation, or coming away of Lord Bentinck, all of which contingencies are supposed to occur at so short a notice as to prevent the Court from having it in their power to nominate a person to succeed him before their occurrence, but, in the case as it now stands, they have had ample notice of Lord Bentinck's intended departure, and it therefore appears questionable whether they will be allowed to turn Sir T. C. Metcalf's provisional appointment, into an appointment having all the characteristics of a permanent one except the name; for, if they are justified in doing so for any period, however short, the same principle must apply to any period, however extended; and the sanction given by the Board of Control to the appointment of Sir T. C. Metcalf had relation simply to the period for which he might hold the office in either of the events before pointed out, it being considered expedient that some person on the spot should have authority to assume the reins of Government until a successor was appointed in the usual course. The extract we give below.

The same Vessel has also brought intelligence confirmatory of the reports about Don Pedro's death;—he died on the 24th, and his remains were removed to the monastery of St. Vincent, on the 27th September. A minute of the autopsy of the body will also be found below. It was reported that Don Pedro had been poisoned, but the post mortem examination removed all grounds for any such suspicion. It is also reported that while on his death bed, he expressed a wish that all persons confined in the prisons, whether for civil or political offences, should be liberated, which his daughter promised should be done.

The West Indies are still in an unsettled state, altho' not so much so as appeared by our last accounts.

O'Connell goes on badgering the Irish with his bulletins. The late appointments to the Bench, and other offices in Ireland have given him much offence, as they have proved him to be no better at prophesying than his neighbours. Mr. Cramp-ton has succeeded Judge Jebb, Mr. Blackburne continues Attorney General, Serjeant O'Loghlin has been offered the Solicitor generalship, but it does not appear whether he has as yet accepted it. Mr. R. W. Greene is to be made a Serjeant.

Among the Obituaries are noticed the death of Dr. Grey, Bishop of Bristol, and of Rear Admiral the Hon. G. H. Dundas, a Lord of the Admiralty, on the 6th Oct. in the 57th year of his age.

The Sultan has sent a grand Envoy to the Court of St. James in the person of

His Excellency Namick Pasha, on a special mission from the Ottoman Court. We do not learn by the Extracts before us what the precise object of that mission may be, but we have little doubt it relates to the present position of Turkey with Russia; and from the well known wish the greater portion of the Divan have to renew, or rather maintain their alliance with England, and throw off the Russian yoke, we think there is every ground to hope that results favorable to the tranquillity of Europe will follow the visit of His Excellency to London.

The Winchester had not left England up to the 9th Oct., but the cause of her detention was not known. It was supposed however that it was owing to the want of a sufficient number of men, there being great difficulty in procuring Seamen at any wages. She was lying at Spithead on the 9th Oct.

Mr. Raikes, the late Governor of the Bank of England, has become bankrupt, and Mr. Pattison was recommended by the Directors to fill the vacancy.

His Excellency the Prefect of Portuguese India, Signor Bernardo Peres da Silva, arrived here from Goa on Sunday last, and landed under the salute due to his Rank.

His Excellency, we have been informed, waited, on Monday, on the Right Hon'ble the Governor and we are led to understand that he submitted to his Lordship a statement of all the circumstances connected with his retirement from his late Government, and the motives which led him to fly for shelter to the British Territory. The following we believe to be the substance of the exposition he made to his Lordship:

Bernardo Peres da Silva was appointed by H. F. Majesty the Duke of Braganza as Regent in the name of the Queen of Portugal, Prefect of the States of India and Counsellor to Her most Faithful Majesty by Letters Patent of the 7th of May 1834. He was invested with this high Office, not only in consideration of his former valuable services, but from his well known abilities and experience, he was deemed the most proper person to relieve the subjects of those States from the oppression to which they had been exposed. He was accordingly authorised to make appointments, which formerly had belonged exclusively to Royal Authority, laying aside, in this respect, certain clauses of the Decree of the 16th of May 1832, by which Prefectures were created. By the same Letters Patent the Board of Appeal was done away with, and the Prefect was authorised to nominate, provisionally, other Judges, and by the Regent's Letters Patent of the 2d June 1834, he was also entrusted with the administration of the Board of Finances, as far as the same was connected with the Public Treasury, in consequence of His Majesty having been informed of scandalous proceedings and malpractices of the said members (Desembargadores) of the Board of Appeal, the greatest part of whom were also managers of the Finances, in which they had conducted themselves, together with their head, the late Vice Roy D. Manoel de Portugal e Castro, in a manner directly contrary to Law. The Prefect, in conformity with these orders, appointed those persons as Judges, who had the best character in the country, and nominated also committees to determine upon the best mode of correcting the abuses which had crept into the administration of the Finances. The result was, that the Prefect had documents laid before him of the bad use which had been made of the resources of the country for the last seven years, a great part of the revenues having been applied towards forwarding the private views of the said Vice-Roy and of the other members, and to the undertaking of works, which had been expressly prohibited by Royal Orders.

In one instance particularly upon a building, which had been estimated at 50,000 Rs., 156,000 had been laid out, and 50,000 Rs. more were required towards its completion—the individuals, who had been entrusted with the building, (being the Vice-Roy's own Aide Camp, Capt. F. L. Cabreira, and Major F. A. de Lemos) in lieu of inviting Tenders, employed their own Agents, and were not subjected to the least check—Don Manoel also advanced public money to private individuals, without obtaining security from them, causing thereby great losses to the state.

The Prefect of course endeavoured to put a stop to this course of proceeding, and thereby acquired the bad will of such as were concerned in it.—Anticipating the changes which were likely to take place on the Prefect's arrival, they had already, as can be proved from documents, combined to prevent his being received in Goa—but the People had opposed their proceedings—When however, they saw, that their bad acts were to be brought to light, they tampered with the Military Governor, who had come with the Prefect from Portugal, and effected an insurrec-

tion on the 1st Instant. The Chiefs, who brought it about, were D. Manoel de Portugal (as may be seen from his seditious Proclamation of the same date), the said members of the Board of Finances, Captain Cabreira, some Officers in command, and persons who had been banished from Portugal by D. Miguel for political offences.

The cause of this commotion has, however, been represented to be, that the Prefect would not consent to allow pay to certain Officers, according to their rank which they had obtained during the usurpation, and which had been cancelled by a Royal Decree. Were their allegations true, it is clear that the Prefect could not be responsible for carrying into effect measures which emanated from superior authority, and which he had not the power of suspending. It is true that the Military Governor pretended that the promotions, altho made by D. Miguel, had been proposed by the Governor, when the Constitutional Government existed, but even in similar cases Officers had been reduced in Portugal.

The Military Governor proceeded, by his own authority, to confirm the promotions made by D. Miguel, altho' they had already been laid aside, and promised to pay the parties concerned, in conformity with them, even against the wishes of the prefect, and notwithstanding that not a rupee could be drawn from the Public Treasury, without the sanction of the latter. The consequences were soon apparent. At 10 o'clock at night on the 1st instant D. Manoel issued his seditious Proclamation, and assumed the Government as Governor-General (a title which is unknown to the Portuguese) pretending, that he had been applied to by the people to do so, altho' they were quite ignorant of the circumstances, and directed the Military Governor to proceed to surround the Prefect's house at 11 o'clock in the night, to seize his person, and convey him a prisoner on board a Brig of War, which was all executed accordingly.

The next day certain Authorities were ordered to attend at the Government House, but the municipal corporations were not convoked. Don Manoel, to the astonishment of all, resigned the Government, which he had assumed the day before "for the purpose of freeing the people from the oppression to which they had been subjected during the 14 days administration of the Government of the Prefect!!!" altho', in that short time, he had done as much as he could towards their welfare. Marshal Correa, the senior Counsellor, was tumultuously appointed acting Prefect notwithstanding that, agreeably to law, he could not act, but in the event of the Prefect's temporary illness, and even in that case, not before the latter had taken his oath.—In case of the Prefect's incapacity, or death, the situation could only be filled up by the Senior Sub-Prefect. Under such circumstances, the Prefect having also on the other hand received information that there was a plan for assassinating him, and seeing the country in a complete state of anarchy and insubordination, requested to be allowed to leave Goa, and has had recourse for shelter to this free country.

The Proclamation alluded to, is as follows:

PROCLAMATION.

Don Manoel de Portugal e Castro, Privy Counsellor to His Most Faithful Majesty, Commander of the order of Christ and Conceição; To all Inhabitants of the Portuguese States in India,—

Portuguese.—After having ruled over you in the midst of tranquillity and peace, upwards of seven eventful years,—after having received from you the most distinguished and decided proofs of love and respect,—after having conducted you properly on the 10th of Jan. of the past year to the path of Portuguese liberty, myself acknowledging and at the same time rendering you obedient to the lawful authority of Her Most Faithful Majesty our most August Queen, Dona Maria the 2nd. and to the constitutional charter of the monarchy, where I should have entertained the most well founded hope of seeing rewarded your Services, and your firm obedience to the orders and decrees of his most Imperial Majesty the Duke of Braganza, Regent in the name of the said most August Queen, what is the picture that presents itself to our eyes, but that of confusion and horror!! The Departments of Administration and the public Tribunals, uniformly abolished.—Citizens old in the service of the state, deprived of their employments—the course of justice suspended—the constitutional Rights of the Portuguese totally disregarded, the peaceable people of this heroic portion of Lusitanian dominion exposed, generally to the horrors of anarchy, and in danger of being hunted into the abyss of entire annihilation and ruin.

Portuguese.—Witness as I have been to your unmerited sufferings, sensible and grateful, as I really feel, for the continued marks of your respectful affection, I have determined on meeting your wishes and unanimous request. A lily of my health and interests call me to Portugal, those of yours and of the monarchy require that I should continue to remain in this country. I have therefore resolved to give way to the imperative law of necessity—I proceed to free the state from the evils with which I see it oppressed, I shall wipe off your tears, remedy as much as possible your unfortunate situation, and restore you to that tranquillity and peace of which you have been deprived on frivolous pretences.

Confirming myself (I say it again) to your repeated calls, and to the enthusiasm with which I see you all inspired, I reassume the Government of Portuguese India with the title of its Governor-General. I cannot however, undertake to direct alone the Government of the state. I require the assistance of a Council. Its members shall therefore be the most illustrious Marshal Joaquim Manoel Correa da Silva e Sousa, the most illustrious Colonel Military Governor, *Fortunado de Mello* and the situation of Secretary shall be filled up by the most illustrious Manoel Venancio Moreira de Carvalho, having a vote in the Council, and in this manner you shall have the means of judging of my sincerity and unimpaired feelings, as regards your welfare. And you shall enjoy the benefits and rights which are secured to you by the constitutional charter.

Soldiers.—You have a worthy Chief. Your discipline shall depend only on the Government, and the laws.

Care shall be taken, as hitherto, that you shall not want what belongs to you, and that you shall be treated in that considerate way which military men meet with every where. If there has been somebody who has taken you to be an unnecessary and injurious class of the state, reason will show them the contrary. You are not different from the military, that in the heroic days of *Gamas*, the *Almeidas*, and the *Castros* carried the Portuguese name to the remotest parts of the earth. Continue therefore to follow steadily the rules of discipline, and subordination, and you will thus obtain the honorable title of Noble Defenders of the Queen and the Charter.

Inhabitants of India.—Citizens of all Classes, since I have thus met the entire confidence you have placed in me, I joyfully invite you to forget any motives for dissatisfaction which may exist amongst you,—let us banish discord from us,—let us become one and the same family—let us unite our interests, and we shall then see the state undoubtedly prosper. Portuguese, listen to this prudent advice from your old and true friend, and you shall then promote the interests of your Country and your own.

Long live the Constitutional Queen.
Long live the Invincible Duke Regent.
Long live the Constitutional Charter of the Monarchy.
Long live the General Cortes of the Portuguese Nation.
DON MANOEL DE PORTUGAL E CASTRO.
Goa, 1st Feb., 1835.

As a specimen of the flowery with the useful, we beg to lay before our readers the following advertisement, which appeared in a late Sydney Paper: MORE OIL AT THE BLAZING STAR.

This Harmonic Oil has caused so great an attraction, since the Christening now called WHALE'S MILK, that we can hardly refine sufficient supplies. Many people think JOHN buys his Oil too dear—he buys it good—LOOK—Out of Twenty Tons of Sperm Oil only two Tons of Head Matter can be obtained.—can't do without 100 Tons stock, to carry on a Manx factory that cost more than twenty-five hundred pounds, JOHN WATTS'S concern is no play thing; but the anxiety caused by my not having European materials snow gone by. Steam engine destroyed by carelessness—have it up again this week—great delay. Sperm Oil and Sperm Candles, Whale Oil, Bund. Oil, Neat's foot and Pant Gils, White Lead, coloured Paints, Turpentine, Lamp and Candlewick, all sizes, Glass Shades, Chippies, Screw-top Japanese Lamps, for the hand, Whitfield's Lanters for Church or Chapel, 3 or 4 Sun and Moon, but they will not stop. Liverpool and Patent Lamp Cotton. Don't want to sell his Sugar.

KILL TWO WITH ONE STONE! Do you want an Estate? Will sell that fine Estate on the Paramatta Road—runs up a mile alongside the property of the late Dr. Wardell; crosses the intended line of Road to Liverpool—may truly be called THE ELYSIUM OF AUSTRALIA.

the birth-place of Diana the Goddess; food of Haunches, watches Peterham Deer, with bushful face creeps under JOHN'S waving brush to the crystal fountain where Naida delight to dwell—in playful gambols o'erturn the basin's rim—forming cascades o'er the rugged rock down to the pebbled bed, and make rough stones smooth as our lovely females' chins, still rippling on in almost silent murmurs, catches the lover's ear in moonlight walk, where tales are told no other tongues can tell—the feathered race joins in lovely notes, by Nature dressed in all their gaudy plumes, in seasons of their loves, to chase a season's mate.

On this spot JOHN WATTS wished to part with Time; but—no;—he has another not stained with crime, on ly 2½ miles from Sydney.

CALCUTTA.

The following is an extract of a letter from a passenger on board the Barque *Indus*, dated St. Helena, 9th October, 1834.

"We left the Pilot on the 3d July all well, but on the 6th, a fever broke out on board. I was the first attacked by it and within 48 hours every person in the cuddy, six in number, were seized and hoard; and also 2 men in the fore-cabin and one in the steerage. In about a week I got rid of it, leaving me very weak, and my knees have not recovered their strength to this day. On the 29th of August Mr. Barr the chief officer died, on the 11th of September Miss Dun died, on the 23d Charles Rivers the Captain's Steward, and on the 26th Mr. Montgomery, late of the Buffs. I know not whether this fever was putrid or typhus, but all the victims to it, were delicious for some days before their deaths: the Captain is now a convalescent; but at one time I thought he would have gone also. Mrs. Ronald was lucky in not coming on board this ship. I kept as much on the poop as possible (as from the Lazaret, scuttles, or hatchway, a most horrible stench came up,) this with smoking cigars and abstaining from spirits and wine, and almost starving myself, I really think effected my cure. We have no Doctor, and what is worse, very little medicine, and that old and almost useless. I am much inclined to leave the Barque here, and wait for a passage home on another vessel."

We should hold ourselves wanting in our duty if we failed to remark on the discreditable circumstance disclosed in the foregoing extract. Here is a vessel taking passengers including ladies, and children too, we suppose, for a voyage of 15,000 miles, greater part of which is made without approaching any land where any medical aid might be obtained, and yet not only without a Surgeon, but according to our correspondent's account, without any adequate supply of medicines!! There can be little doubt that the deaths of some of those who fell victims to the fever, on board the *Indus*, may be ascribed to the want of medical aid. It is to be regretted that there is no law to compel owners of vessels making long voyages to provide them with competent surgeons and a sufficient supply of medicines; but in the mean time it is highly discreditable to all concerned, to let a vessel proceed on such a voyage without one or both. We hope the attention of the legislature at home will be drawn to this subject. Mr. Buckingham would find it much worthier of his attention than the attempt to put down dram drinking by Act of Parliament; and much worthier of his pen also, than wild declamation, ad captivum clamour, against the "Maltbushian Poor Laws Amendment Bill." This Government has now full power to legislate on this subject, and we wish they would enact a law making it imperative on every vessel bound to England or any long voyage, to carry a Surgeon, and proper medicines, refusing the port clearance until that law were obeyed; and we hope this will be done.—*Bengal Hurkaru*, Feb. 2.

CHINA.

CHARACTER OF THE CHINESE; WEAKNESS OF THE GOVERNMENT; NOT ABLE TO SUBDUCE THE MOUNTAINEERS. DANGER FROM THE TRIBES ON THE BORDERS.

(From a correspondent.)

In all the pursuits of active and speculative life the emulation of states and individuals is the most powerful spring of the efforts and improvements of mankind.

China alone in the universe, with self-satisfied pride, undisturbed by the comparison of foreign merit, is slow in the career of improvement, having neither competitors to urge its speed, nor judges to crown its victory. The subject is degraded to a languid torpor, without ambition beyond the hall of examination or the amassing of wealth. The rulers are content with their rank and emoluments, thinking themselves superior to all other earthly beings, whilst the great mass of the people live in a state of want and apathy. These are the natural effects of their solitary and insulated state, which by many is considered the acme of happiness. The language and peculiar manners of this great people constitute them a separate nation, less accessible than many savage tribes in the heart of Africa. Every thing that tends to rouse them from this state of lethargy is as unwelcome to them as the summons to a sabbath to a heathen. The government certainly participates largely in this state of absolute indifference; if the people were to awaken from their slumbers, their rulers must either suppress the latent embers of national spirit or yield to its influence by becoming its champions. But there is little apprehension that such an event will take place, unless the almighty hand of providence raises up extraordinary men from amongst the nation: a merciful dispensation which has often taken place when the mental powers of a nation lay prostrate. We shall either sympathize with or exult in the placed indolence of so many millions, according to the idea we form of human happiness; yet impartiality will direct us neither to admire the stagnant pool, nor the boisterous sea, but to dwell with delight on the running stream and the bubbling fountain. If man's destination were to spend a life of insensibility, the nearest approach to torpor or annihilation (as the Buddhists have it), would be the height of human bliss; and we should surely have to bewail our lot, and envy the oyster or rock of the sea.

The absence of mental engagement, so congenial to man's immortal spirit, cannot be conducive to human happiness; nor is the engaged and fettered mind in an envious condition, because nature's good gave it wings that it might dart in ethereal flight and traverse the immense field of improvement, until approaching a state of perfection. Few thanks are due to the Chinese and our scribes of the middle ages, with Aristotle at their head, for having enthralled the human spirit, which is originally born to liberty. But the comparatively tranquil state of the celestial empire may be decidedly preferable to the constant fermentation which agitates more civilized nations. But mankind labour under the same imperfections as nature, whose destructive tempests and terrible earthquakes, and floods are necessary evils; for during a long space of sultry calm the atmosphere becomes pestiferous and proves more fatal than the fiercest storm. A little acquaintance with Chinese history proves that after a long peace, when the body was effeminate and enervated, and the mind debilitated, the horrors of war, plunder and rapine and carnage were dreadful, and far exceeded the fiercest contest in Europe.

There is much in China which tends to lead to mind to slumber. The relation between a man and his creator, the source of the sublime ideas and noblest emotions, is either lost in the bottomless pit of atheism or in the farrago of morbid idolatry. Whenever the view is bounded by ephemeral existence and a dim future spot, the human spirit cannot expand. If the machinery of the universe, as established by the orthodox creed of the state religion of China, is always revolving, independent of the skill of a great mover, we have nothing to fear nor to expect; our lot of being swallowed up in the elements of which we are composed is inevitable; and with the greater indifference we view all changes and the more strictly we confine all our thoughts to our earth, the greater will be our happiness. If on the contrary, the reveries of the Tao sect have any foundation if immortality waits the mantricist's recluses who spend his life in deans and angles, few individuals can interest themselves in striving after hope beyond the grave. Nor can the tenets of Buddhism hold out objects worthy of research, for they are too absurd or too childish to claim a moment's serious attention. If, therefore, religion, a state of morbid indifference takes hold of the individual by no means to be wondered. The institutions of the country co-operate in rendering the spirit extinct. There is a constant sameness, all ceremony and form, without any external excitement; pinching want paralyses the faculties of the majority, and those who have time to think prefer the ancient to their own thoughts. This state of things is, however, not congenial to Chinese nature, for the people possess a great fund of natural understanding and mother-wit, which once for all doomed to peep itself in trifles. Mindful to check the spirit of innovation, the government watches carefully the first sparks of native genius, which, if not soon extinguished, might throw its wild fire into the machinery of the state. Confident that no such thing can happen as long as the government officers are the guardians of the public spirit, they tremble at the barbarian craftiness which assumes the name of science, improvement, and march of intellect, and is so powerful as to sap the foundation of old established custom. Though not yet fully apprized of their real intention, they conclude, once for all, that a crafty and lying barbarian can only meditate mischief. Their fierceness is proverbial, their eagerness to conquer is upon record, and it is dangerous to permit the least encroachment.

That there are no idle dreams is too well proved by past experience; and that the Chinese government acquainted with its internal strength has reason to tremble, is a matter of fact.

In the western and southern provinces tribes of hardy mountaineers, the aborigines of these countries, have often disturbed the peace. Neither the martial ardour of Keenlung, nor the profuse bribes of Taoukwang have tamed their restless spirit. Irritated either by want or oppression they rally forth from their fastnesses, and are always successful in a desultory warfare, which thins the ranks of their enemies, enriches themselves with spoil, and nourishes their refractory spirit against their celestial lords. The numerous fastnesses in Kwai-chow, Sze-chuen and Yunnan, could never effectually check their depredations; they remain the scourge of the country around them, and without experiencing the transforming influence of the celestial empire will continue its enemies. Kokonor is inhabited by various tribes, distinguished by language and custom from each other; they have hitherto proved obedient to their liege lord, because the great lamas in Tibet, their spiritual guides, acknowledge fealty to the emperor of China. Humility speaking it may be said that China has nothing to fear from the quarter; the Tibetans are a too submissive people; and unless the Ghorkas, a desperate race of warriors, push forth their conquests, the Chinese may slumber in security. With equal indifference they may look upon their Birman, Cochinchinese and Laos neighbours, of which the former alone disdain to acknowledge the supremacy of the celestial monarch. But in the N. W. the prospect is darkened by the hostile aspect of the Afghans, the kindred free tribes of Turkomans, who have to revenge the death of many thousands of their brethren inhumanly slaughtered by the Chinese. There are the roving Khirgis or Kossacks, the Calmucks, whose fidelity is doubtful, and the Uzbeks, who view every idolater as their enemy. The frontier possesses here no external fortification, and these hardy sons of the desert, inured to all hardships, may penetrate to the heart of Shensi, or Khabul province, before the Chinese are able to oppose their incursion. If such an event had never

happened it would be weak to entertain an apprehension of imaginary objects of fear; but China has paid too dearly for the insults offered to the neighbouring tribes, and has had often to encounter their well paid barbarian auxiliaries on the field of battle. How much soever the national spirit of the Turkomans may have been crushed, the injuries they have suffered from the Chinese government rankle in the breast of the few survivors, and will recoil with redoubled fury upon the heads of their tyrants.

But there is a more formidable enemy in the north; the innumerable swarms of Mongols, without permanent possessions, the lords of an ungrateful soil, who are alternately subject to murrain and starvation which drives them to the brink of despair; who have nothing to lose but their lives, which they have often sold dear instead of waiting the approaching of gnawing hunger. Such a horde of voracious Scythians is really formidable; they have more than once inundated the northern provinces of China, though under different names; and once subjected the whole empire to their sway. Under as intrepid leaders as Zingis and Timur, the valorous Turks, the brave Persians, the hardy Russians, and the steel clad knights of Germany, could only oppose a feeble resistance to their impetuosity. Though Europe, perhaps, has for ever put a barrier to their invasions by superior tactics, China remains in the same state in which they found it when constituting themselves lords over the celestial. It is true, many of their princes are joined by ties of blood to the interests of the Manchu dynasty; many of the tribes have lost their nationality; but the deserts of Asia are fertile in extraordinary and sudden revolution. A nation emerges to power and pushes its conquests with surprising rapidity. Witness the history of the Huns, Turks, Mongols, Kitanes, Mantchoos, Kalmuks, and other tribes. The Chinese have always been jealous of the Mongol power and have watched them until this moment with a jealous eye of distrust.—*Canton Register, Dec. 9.*

EUROPE.

THE ATLAS.—October 5.

GOVERNOR-GENERAL OF INDIA.—The following is the resolution adopted by the Court of Directors on Friday:—"Resolved, That referring to the appointment which has been conferred by the court, with the approbation of His Majesty, on Sir Charles T. Metcalfe, provisionally to act as Governor-General of India upon the death, resignation, or coming away of Lord William Bentinck; and advertising also to the public character and services of Sir Charles T. Metcalfe, whose knowledge, experience, and talents, eminently qualify him to prosecute successfully the various important measures consequent on the new charter act, this court are of opinion that it would be inexpedient at present to make any other arrangement for supplying the office of Governor-General. That the said opinion be communicated to His Majesty's ministers, through the President of the Board of Control for the affairs of India."

THE TIMES.—October 4.

(From the *Gazeta Oficial do Governo*.)

BULLERIN.

Palace of Queluz, Sept. 21.
His Imperial Majesty the Duke of Braganza died at half-past 2 o'clock this afternoon.
GIL GUEDES CORREA,
His Majesty's Aide-de-Camp,
THE AUTOPSY.

[Published by superior order.]
Minute of the Autopsy of the body of the Most High and Most Powerful Prince and Lord Don Pedro d'Alcantara de Bourbon and Braganza, Duke of Braganza, made and executed by the surgeons, presided by Paulo Martins d'Almeida, Camarista do Service do said august Senhor, and in the presence of the first physicians of her Most Faithful Majesty, and by the other undersigned physicians, on the 23rd day of September, of the year of Lord Jesus Christ, 1831.

Abdominal Cavity.—No fluid. Omentum and peritoneum rather too pale, appearing to be thickened by effusion of bile.

Gastric mucous, the colour changed in the posterior part towards the spleen.
Hypertrophy of the great lobe of the liver and the same altered in colour, being too dark. Spleen become very soft, approaching to a state of solution.

Thoracic Cavity.—Hydrothorax of the right pleuritic sac, containing 2½ lb. of turbid and sanguineous fluid.

No fluid in the left pleura, but a very extensive adhesion of the pulmonary pleura, to the costal and alteration of colour, it being much too dark.

Left lung adhering very extensively to the costal pleura, of a livid colour and flaccid; no crepitation on being cut, and almost without any vascular appearance throughout the whole; merely a small portion of the superior part was permeable to the air, and that portion swam through the whole sark.

Heart a little larger than the regular size, paccid and discoloured, with some adhesion of the posterior part. The valves being examined were found in the natural state. Further examination prevented by the necessity of preserving the heart entire.

Kidneys altered, inclining to white as also in the cortical substance, which was in a soft state. A calculus was found in the left kidney. In the bladder no alteration.

PAULO MARTINS D'ALMEIDA,
Camarista do Service.
JOAN FERNANDES TAVARES,
First Physician of the Royal Chamber.
FRANCISCO ELIAS RODRIGUES DE
SILVEIRA,
FRANCISCO SOARES FRANCO,
ANTONIO JOAQUIM FARRO,
Chief Surgeon of the Kingdom.
MANOEL CARLOS TEIXEIRA,
FRANCISCO JOSE D'ALMEIDA.
This document is drawn up by me, Clerk of the Filadelfia of the Royal Family, as I hereby do certify.
VERISSIMO MAXIMO D'ALMEIDA,
Palace of Queluz, Sept. 25, 1831.

BANK OF ENGLAND.

A quarterly general meeting of bank proprietors was held on Thursday morning at twelve, for the purpose of declaring the half-yearly dividend of 4 per cent., and other business. Mr. Selwyn begged leave to ask whether the receipts of the last year and the receipts of the present, when compared, showed an

increase or a decrease? The Governor—"An increase." Mr. Selwyn—"And whether, taking the average of the business transacted by the whole of the branch banks, there had accrued a profit or a loss?" The Governor—"A profit." (Hear.) Mr. Young wished to know whether the interest continued to be paid on the loan contracted with the East India Company? The Governor said that, on the million the interest continued to be paid, but would cease in October, (Hear.) Mr. Winter moved that that court considered the application of the London and Westminster Bank for power to sue and be sued as an infraction of the charter of the Bank of England as renewed by the late Act of Parliament, and that a vote of thanks be given to the directors for their conduct resisting such infraction. After some discussion as to the propriety of passing a vote of censure on any body of men, it was agreed to amend the motion by substituting the words "any such application." Sir J. Scarlett, in answer to a question put with the approbation of the court, as to the legality of the London and Westminster Bank having accepted certain bills, and whether such act was an infraction of the Bank charter, said the question turned upon the words in the clause relating thereto—"owe money." There was certainly some ambiguity as to whether accepting bills was owing money. The Court of King's Bench had, however, decided in a case of the kind, that it was, and that such acceptance was an infraction of the clause relating to the same in the charter of the Bank. The question of the dividend having been put and carried, the vote of thanks to the directors was passed without a dissent, and the court broke up.—*Atlas.*

POLITICS.—Our newspapers are every day full of what they call intelligence from Spain; but it is wholly unimportant. The American journals state, that at Charleston, near Boston, a set of railroads had attacked by night, and burnt to the ground, a nunnery, the fair inhabitants of which with difficulty saved their lives. At home, the third lieutenant of the Casor frigate had been dismissed his majesty's service, by the sentence of a court-martial appointed to investigate the circumstances attending the loss of the *Chameleon* cutter. Great horror has been excited by the perpetration at Pentouville of perhaps the most dreadful accumulation of murders, followed by suicide, on record.—*Literary Gazette.*

CHARLES PHILLIPS, Esq.—Lord Brougham has appointed Mr. Charles Phillips to an office created by one of the law bills of last year, to which there is a salary of £2500 a year attached. Besides the enjoyment of this income, Mr. Phillips will have the liberty to practise at the bar.—*Caledonian Mercury.*

On Tuesday arrived from the river the ship *Zeno*, bound for the Cape and Calcutta, and having embarked passengers and stock, sailed on Thursday. The ship passed up Channel on the 13th of August, and landed her passengers at this port, proceeded to St. Kittia-rick's-jocka, discharging her cargo, docked, painted, and refitted, took in a full cargo for Calcutta, arrived here, and sailed in the short space of 43 days.—*Portsmouth Herald, September 27.*

LIVERPOOL COTTON MARKET, Monday, Sept. 29.—We have had a very fair demand for cotton to-day, and 4,500 bales have been sold at the full prices of last week, principally American descriptions, from 8d. to 9½d.; 1,500 of which have been on speculation account.—*Times.*

DECREASE OF EXECUTIONS.—In 1816 the number of executions in London were 18; in 1817, 25; 1818, 20; 1819, 28; 1820, 43 (five for high treason); 1821, 33; 1822, 24; 1823, 19; 1824, 11; 1825, 17; 1826, 16; 1827, 17; 1828, 22; 1829, 25; 1830, 6; 1831, 4; 1832, 4; 1833, 3; 1834, none.—*Atlas.*

THE SPANISH CIVIL WAR.—Up to the fourteenth century, the Barque provinces, Alava, Guipuscoa, and Biscay, remained independent of all interior authority.

In 1580 their deputies chose Alphonso the wise, King of Castile, as their suzerain, but on the condition that he should respect their independence, that he should enforce no law or tribute to which they had not consented, and possess neither town, fortress, nor even houses, within their region. Such being the origin of their privileges, they have known always how to preserve them, remaining still exempt from taxes common to the rest of Spain, and paying merely a feudal tribute, called *alcabala*, which is of trifling amount. In addition to this, the Barque provinces are free from the vexation of the Spanish custom-house system, the line thus being on the Ebro. Whilst Spain sank into an absolute monarchy, under Charles V., the Barque provinces preserved their republican form of government. In Biscay it was democracy in Guipuscoa, it was oligarchy; in Alava a middle state between the two. In Guipuscoa the representative assemblies change their place of meeting; but in Biscay they still meet, as in the olden time, under the oak of Guernica; hence they pass laws, vote imposts, and controul expenditure. And how well they administer one has proof in the public funds of Alava, whose three per cents were quoted 93 previous to the insurrection. Navarre is not so independent, but it too has its privileges or *fueros*. When the constitution was proclaimed in Spain, these provinces lost their privileges. When French intervention put down the Cortes, the Barques recovered their independence. Hence the present war is one, not of opinion, but of interest. It is not a civil war, but a war of independence. If the Barques wish to see Spain under the absolutism of Don Carlos, it is that they may remain free under their republican constitution.—*Ibid.*

The Columbia, from Singapore, is the first ship that has entered the river with tea under the new law as regards the traffic to China. Her cargo is 350 chests, consigned to Messrs. Douglas Anderson, and Co.—*Ibid.*

A letter from Naples, of the 9th instant, states that Don Miguel had invited several British naval officers resident in that capital, to join in an expedition against Don Pedro preparing in Sicily.—*Ibid.*

WEST-INDIES.

DEMERARA, AUG. 10.

I send this to-day, at a very eventful period, on account of the Emancipation Bill. From the manner in which the slaves conducted themselves on Sunday, it was anticipated that every thing would go on tranquilly, but I am sorry to say that the reverse is the case.

By a paper which I send, you will see how unruly negroes are becoming, and from accounts which are hourly received in town they are getting worse.

We are all prepared; all my arrangements are in good order, my rifle clean, and a good supply of ball cartridge.

If the worst comes to the worst, we must put them down *vis et armis*. The governor has shown a great want of energy and decision in the matter; negroes are naturally a most obstinate set, and when once they get an opinion into their heads, you cannot convince them of their error.

Some of the most unruly, on one estate, were flogged in the presence of the whole gang, as it was thought it would produce a favourable effect upon them, but they all fell on their knees and begged the men to beat them patiently, as it could not last long.

It is expected that martial law will be the effect of all this; if so, it will put a stop to all business, and we shall be metamorphosed into

soldiers directly; but it is to be hoped that they will see their error and return to their work in time. Parties of soldiers have been sent to the different parts of the coast.—*Times, Sept. 29.*

WESTERN CIRCUIT.

BODMIN, WEDNESDAY, AUGUST 6.

NISI PRIUS COURT.—(Before Mr. Justice PATTERSON, and a Special Jury.)

CRIM. CON.—TREVANION V. DAUBUZ.

This cause, which has excited such an extraordinary interest throughout the country, came on at 9 o'clock this morning. The court having been originally adjourned to 8 o'clock, the town presented an unusually busling scene at a very early hour, and long before the doors were opened, crowds were assembled, anxious to obtain admittance to the court, excited by curiosity either to hear the details of the case or the speech of Sir James Scarlett, who came from town specially to conduct the case for the defendant. It was ascertained, however, somewhat to the chagrin of those who had risen an hour earlier than was necessary, that arrangement had been made that the proceedings should not commence before 9 o'clock, at which hour Mr. Justice Patterson entered the court, which was then thronged in every part. We must not omit to notice the attention of the Under Sheriff, who provided us with every accommodation on the bench.

Mr. Serjeant Wilde, Mr. Serjeant Coleridge, and Mr. Follett, conducted the plaintiff's case, Sir James Scarlett, Mr. Earle, and Mr. Praed that of the defendant.

Mr. Follett having opened the pleadings,

Mr. Serjeant WILDE proceeded to state

the plaintiff's case. He had the honour to

appear before them for the plaintiff, Mr. Tre-

vanion, a gentleman whose family was of great

aniquity, who had brought this action against

Mr. Daubuz, a gentleman who filled a consi-

derable station in the country, and possessing

considerable wealth, complaining of an injury

of which the defendant had been guilty—of

seducing his (the plaintiff's) wife. Mr. Tre-

vanion, in 1827, had married a lady who was

the daughter of Mr. Trelawney, a name which

he believed was familiar to their ears, repre-

senting a family of great respectability. At

the time of the marriage the parties were both

about 24 years of age. Shortly after the mar-

riage they went abroad, where they remained

until about the month of May, 1831, about

which period they returned, and went on a

visit to Mrs. Trevanion's mother, Mrs. Bre-

erton, who at that time resided at Brompton.

Mr. and Mrs. Trevanion took lodgings in the

neighbourhood of the residence of the mother,

and remained there 4 or 5 months, making

arrangements with a view to their perma-

nent residence in this their native country,

and they ultimately took up their abode at

Park, near Truro, where Mr. Daubuz resided,

and there the acquaintance with the defendant

either began or was renewed, and it was short-

ly after that period, there was every reason

now to believe, that the plaintiff had sustained

the misfortune of which he this day complain-

ed. The plaintiff had given the defendant

the means of becoming on intimate terms with

his family, and of those means he seemed to

have availed himself, for shortly after the ac-

quaintance had taken place, the defendant

had taken every opportunity of visiting Mrs.

Trevanion in his (the plaintiff's) absence from

home. In September, 1831, the plaintiff re-

turned to a more convenient residence at Co-

rum, in the neighbourhood of Truro. The

intimacy of the parties had then advanced

to a considerable extent. In the course of

the year 1833 it was found necessary to take

lodgings at Pill for the benefit of the two

children who were the issue of the marriage.

They would learn that the defendant frequ-

ently accompanied Mr. Trevanion to Pill, and

no doubt at that time he had succeeded in

breaking down every species of moral restraint

and that they indulged public y under cir-

cumstances which precluded the policy of doubt as

of the defendant's visits. The first positive

evidence of a criminal connexion, it would

be offered, was while the children were at Pill.

There was every reason to believe it had taken

place before, from the familiarity which was

inconsistent with the conduct of a married

woman. After this they would find a course

of conduct pursued of the most degrading

description; they had advanced from boldness

to licentiousness almost unknown to persons in

their rank of life, and they would have con-

duct detailed which would not leave the pos-

sibility of doubt as to the criminal act, having

taken place. In January of the present year

Mr. Trevanion had occasion to go to London

on some account, and was detained there three

or four weeks, and although the connexion had

taken place in 1831, yet, as was usual, the

husband was the last person to become ac-

quainted with it. When Mr. Trevanion was

in town, a communication was made to him

which induced him to return immediately, and

the eupion, making inquiries, he had taken Mrs.

Trevanion from his house to her mother's, her

continuance at his house being inconsistent

with the honour of either party. The evi-

dence would be perfectly decisive, and would

not only make out, that adultery had taken

place, but that the defendant had succeeded in

polluting the mind as well as defiling the per-

son of Mrs. Trevanion. He should be able to

prove the terms upon which the husband and

wife had lived, and there was no reason to

doubt that up to the period of the acquain-

which reason to suppose that any alienation of the mind or want of good feeling on the part of the lady towards her husband had previously been engendered. No doubt after this acquaintance, her feelings had undergone a considerable change. She removed from the bed of her husband, for they were aware that when a woman had inflicted such an injury it was not unnatural that her feelings should undergo an alteration. At first she had withdrawn occasionally from his room, but subsequently, when her intimacy with the defendant had increased, she had ceased altogether to occupy his bed. What course of defence the defendant would take he did not know, whether he would condescend to deny it, and thus add to his degradation, he could not say; but if such was his intention, he had done right to avail himself of the talents of his learned friend, for nothing but the greatest talent could get him through. Whether the lives of the plaintiff and his wife were to be placed before them he did not know, but he did know this—that when a man had conducted himself as this defendant had done, he was not very choice of the selection of the materials by which he should protect himself from the consequences of his misconduct on the day of trial. It was the natural result of such a transaction. The wife and paramour of course had the means of collecting together every possible circumstance which by misrepresentation or other means could tend to throw the slightest shade of extenuation over their conduct. If Mrs. Trevanion had conceived any temporary displeasure towards her husband, he begged to know what right the defendant, or any other man, could have to step in and prevent the possibility of a return of that affection. What right had a man to be watching the state of feeling of a wife towards her husband, and availing himself of that to make the separation final and eternal which in all probability would be only temporary? He knew of no excuse, but it might mark more of deliberation, and less of the impulse of passion, and make the offence the greater than it was in one, who yielded to sudden passion. The first attempt made by individuals, in the situation of the defendant was to degrade the husband, and it was consistent with the first conduct to endeavour, by every means, to screen themselves when called to account for it. The case he presented was this—that the plaintiff was living in a state of comfort and happiness with his wife, without any prospect of that being disturbed, till the defendant stepped in and reduced him to his present state, and it was necessary for him to submit his complaint to them, showing in what state the defendant had found him, and in what state he had left him. He knew, in addressing them, he was addressing men of honour, and he did so with confidence, and he was satisfied they would award that just measure of damages which would mark their sense of the conduct of the defendant. There was no other compensation the law knew, and it was the only one which he could ask.

John Burley.—I am acquainted with Mr. and Mrs. Trevanion. I was present at their marriage at St. George's, Hanover-square, in June, 1827. I knew Mrs. Trevanion before her marriage. Her name was Charlotte Trevelyan, father (Mr. Brereton) was formerly Colonel in the Coldstream Guards. At the time of her marriage she was about 24 years of age. Her father is dead. Whenever I have seen them together their conduct has been about the same as other parties. I saw nothing out of the way or the other. Mrs. Brereton was present at the marriage.

Cross-examined.—I am solicitor to the lady's family. I did not see any plates thrown at the lady's head. Her uncle, Sir Christopher Hawkins, died about 1829. Sir Christopher was a man of large fortune.

Mary Ruspini.—I am the wife of Mr. Clayton Ruspini. In 1831 Mrs. Trevanion came to our house at Brompton, in May, and stayed till August. They occupied two bed-rooms and a sitting-room. I was given to understand they had come from France. Mrs. Brereton lived a short distance from our house. Only one servant came with them, because we could not accommodate more. Mrs. Brereton came every day, and Mrs. Trevanion dined with her mother every day. When they left, I understood they were going to his father's. I always thought they lived on the most affectionate terms. Our house was so small it would have been impossible for anything unpleasant to have occurred without my knowing it. Mr. Trevanion always appeared to be very kind to his wife. They slept in the same bed. They had two children with them. Mr. Trevanion was particularly kind to his children. I never saw anything but kindness from Mrs. Trevanion towards her husband. I think she was kind to her children, but I do not think she took so much notice of them, as Mr. Trevanion.

Cross-examined.—They came on the 15th of May, and stayed till the 15th of August. They never dined or supped at our house. They breakfasted there. I saw a good deal of Mr. Trevanion. I never took a meal with him. Mrs. Trevanion went out very little except to her mother's. Mr. Trevanion went out every morning. Their servant's name was Ann Barber. left their service when they left our house. She came from France with them, and was generally at home with the children. I don't know of their getting any other servant. Ann Barber remained at our house a fortnight after they left. The youngest child was about eight months old when they came. Mr. Trevanion generally came home with her at night. Different ladies and gentlemen have called upon them occasionally. I have not seen Mr.

Trevanion much since. I do not know what has become of Ann Barber.

Re-examined.—Mrs. Trevanion made Ann Barber a present of a dress a few days before she left. I always heard Mrs. Trevanion speak very highly of her, and Mrs. Brereton had recommended her most strongly.

J. H. Tremayne, Esq.—I was formerly member for this county. I have known the family of Mr. and Mrs. Trevanion. I was at Mrs. Brereton's on the day of the marriage. They have visited at my house, and have slept there. Their conduct was like that of other married persons. I do not think I saw them in the year 1833.

Cross-examined.—They have been at my house in 1832. Mrs. Trevanion is a distant relation of mine. I was on very good terms with Mr. Trevanion's father. Mrs. Trevanion has two sisters married abroad.

The Rev. Mr. Smyth.—I am vicar of St. Austle. I have known Mr. Trevanion 17 years, and Mrs. Trevanion since her marriage. I think they have slept at my house twice. I have a distinct recollection of having spent a very pleasant evening with them. My house was 13 miles from their residence. I thought her very much attached to him. They played and sang together. He is a playful manner rather objected to her playing out of tune; but I thought he had a very good wife.

Cross-examined.—It was as they were going to Cornwall that they had this little discord. I don't know whether they had children at that time. I asked them whether the playing out of tune, had the same effect upon them as a person reading a false quantity in Virgil would have upon me.

William Eudean.—I entered the service of Mr. Trevanion about 24 years ago, before Christmas, 1831, in the stable; I was called Thomas. My master lived then at Park, and afterwards at Conium. Both are near Truro. I know Mr. William Daubuz; he lives at Truro. I saw him at my master's in a day or two after I went there. He was there often. My master went to London. Mr. Daubuz used to come to the house often when my master was away. He stayed once till between 2 and 3 o'clock in the morning. He had come about 7 or 8 o'clock.

Mrs. Trevanion and Mr. Daubuz were alone in the parlour. He generally went away between 10 and 11 o'clock. On one occasion he came on horseback. Mrs. Trevanion was at home alone. They were in the drawing-room. I saw them romping round the drawing-room. He had his arm round Mrs. Trevanion's waist, as if to kiss her. My master was absent about three or four weeks. I mentioned this in the kitchen. I remember our going to Conium. On one occasion, after we had been there some twelve months, I saw Mrs. Trevanion on Mr. Daubuz's knee. I once took in lunch, on Mr. Daubuz's knee, as if from Mr. Daubuz's lap. I have seen Mr. Daubuz in Mrs. Trevanion's bed-room. I do not know where Mrs. Trevanion then was. I have seen them in the grounds together. Mrs. Trevanion was lying on the ground, and Mr. Daubuz was standing up. I afterwards saw Mrs. Trevanion standing up and Mrs. Daubuz brushing her shoulders, and afterwards brushing his own knees. I have seen them ride out together; they generally parted at the top of the town. I have carried notes from Mrs. Trevanion to Mr. W. Daubuz. I was Mrs. Trevanion to Mr. W. Daubuz and give it to him. I have seen Mrs. Trevanion and Mr. Daubuz lying down in the hay on the lawn. They carried some hay to a corner by the tree, and lay down. I only saw them as I passed in front of the house; they stayed there a great while. My master always behaved very kindly to my mistress.

Cross-examined.—I live with Mr. Trevanion now. Mr. Daubuz did not come very often when my master was at home. He used to visit there. My master went to London at another time, and Mr. Frederick went with him. They dined that day at Mr. Daubuz's, and went from thence, leaving Mrs. Trevanion there. This was when they lived at Conium. I don't know what time she returned. My master and brother went by the mail which leaves Truro at 8 in the evening. My master frequently went from home, and stayed a month at a time. Sometimes other gentlemen came when my master was out. I was leading the horse in front of the house when I saw them romping in the drawing-room. It was in the summer of 1833, about 2 o'clock, I saw Mrs. Trevanion on the ground. I went to call my mistress to lunch, and I saw them on going down the walk. The weather was hot. When I saw them lying in the hay it was after luncheon. I saw them from the front of the house; each took up some hay and carried it. They went several times with the hay. I passed several times; I made no noise to disturb them. I have said I never saw any harm between them; I was not obliged to tell every one. I meant nothing criminal. Different people asked me. I don't know when my master first examined me on the subject, it was two or three months ago; I don't think it was four months; it was Mr. Code who examined me, not my master. Mr. Daubuz used to come three or four times a week when my master was at home. I have known Mr. Daubuz drive Mrs. Trevanion in the gig, and my master go on horseback. He used very often to stop at home. The lodging was taken at Pill for the children last summer, but I can't say whether that was before or after the haytime. I have seen Mr. Daubuz and Mr. and Mrs. Trevanion all walk out together; I never went to London with my master; I could not tell what he was doing there; I have never said so; I have seen a letter that dropped out of my master's pocket; I read part of that letter; I think it was this year.

Re-examined.—My master was absent from home only once during the time we lived at Park; he has been absent six or seven times since we have been at Conium; he sometimes went in his brother's yacht; I recollect his aunt, Mrs. Quanter, coming to the house; my master went away with her; Mr. Taylor visited at the house during my master's absence as well as Mr. Daubuz, there were other persons present. They were in a private part of the grounds when I saw Mrs. Trevanion on the ground.

Mary Griffiths.—I am a married woman. I lived as cook in Mr. Trevanion's service. They then lived at Park. The kitchen was under the drawing-room. I frequently saw Mr. William

Daubuz there. I heard a noise in the drawing-room. I was sent with the children, in May last year, to Pill. We had two rooms, one up stairs and the other below. It was a small cottage. Mr. and Mrs. Trevanion used to come and see the children. Mr. Daubuz some times came with my mistress. They once came on horseback about 2 in the afternoon. As I was laying the cloth for the lunch, my mistress complained of her habit being tight; she opened it, and asked him to put it to rights for her, and I saw his hand inside her habit on her stomach. She had no gown under her habit. Mrs. Williams came into the room at the time. They sometimes came by water. Mr. William and Mr. John Daubuz came once with my mistress by water, and Mr. John Daubuz said he would take the children on the water. Mr. William Daubuz said, then he must take me with them, and Mrs. Trevanion said he should, and I went. The bed was perfectly smooth when I went out, leaving my mistress and Mr. W. Daubuz behind in the parlour. On my return I found them in the same parlour. I afterwards went up stairs and observed my bed had been much tumbled, as if some one had been lying upon it. On another occasion I went to my mistress's room and found the door locked. My mistress spoke to me, but would not let me in. I afterwards saw Mr. Daubuz in the house. On Sunday evening the lady's maid was out, and my mistress sent the footman to church. Mr. Daubuz took tea with my mistress, and stayed till 10 at night. One of the servants took me to the best bedroom. The bed was tumbled, and there were the marks of two heads on the pillows. The witness then went into the evidence which we cannot detail.

Cross-examined.—I want to Conium in May. Mr. Taylor used to sleep there sometimes. I never knew Mr. Daubuz sleep there. My master never knew anything about it from me. I may have said I never knew any harm of my mistress. I never said I never saw any impropriety between my mistress and Mr. Daubuz, and my master had used my mistress very ill. I did not consider his going away so often improper. The youngest child slept in my mistress's room.

Mary Ann Williams.—My husband is a carpenter at Pill. Mrs. Trevanion's children lodged at my house. I recollect the day Mr. John Daubuz took the children out in the boat. During the time of their absence I saw Mrs. Trevanion going stairs, and shortly after Mr. Daubuz followed her up. They continued there 20 minutes. Mr. Daubuz came down first, and went into the parlour. When Mary Griffiths came home she told me about the state of the bed.

Cross-examined.—I have no remembrance of what I was about that day. I cannot tell whether Mrs. Trevanion could see me when she went up stairs. I do not recollect whether there was talking up stairs. My house is on the public road, on the Quay.

William Williams.—I heard voices in the maid's bedroom that day. I saw Mrs. Trevanion and Mr. Daubuz in the house that day.

Ann Salmon.—I am a widow, living at Truro. I was in Mrs. Trevanion's bed-room at Conium, and Mrs. Trevanion and Mr. W. Daubuz came into the room, which I immediately left, leaving them in it. This was last year. I used to wash for the family, and clean the house. The witness then gave evidence which is unfit for the public eye. I have seen Mr. Daubuz go up to Mrs. Trevanion's bedroom. She told me when Mr. Daubuz has been there to say she was not at home if any one called. I have seen Mr. Daubuz in the dressing-room adjoining Mrs. Trevanion's.

Cross-examined.—This was more than 10 months ago. I did not see him open the bedroom door. I only saw him go up stairs. When they both came into the bed-room together there was a new dress on the bed. I did not shut the door when I left the room. Mr. Daubuz used to come very often, I have seen Mr. and Mrs. Trevanion walking together. I have not known Mrs. Trevanion and Mr. Daubuz go out in the gig together, and Mr. Trevanion stay at home. Mr. Trevanion used to leave some when he had business. I do not know when he had business. I decline answering the question when I was first questioned upon the subject.

Mr. Justice PATERSON.—Woman, you shall answer.

Witness.—Mr. Code was the only person who examined me about three weeks ago. The cook had first asked me whether I did not recollect such a thing. I have said when I have been asked that I knew nothing against Mrs. Trevanion. It would be very ridiculous in me to answer every one. I have said she was a very good mistress.

Leah Clewlow.—I am the wife of James Clewlow. I used to work in the house for Mr. and Mrs. Trevanion. The room under the best bedroom is called the library. I have often seen Mr. William Daubuz at Conium. I recollect once Mr. Trevanion going up into the best bedroom, and in a short time after Mr. Daubuz went up. I heard the footsteps of two persons in that room. In about a quarter of an hour I saw Mrs. Trevanion, who told me she was going up to have a bit of a snooze, and was not to come up to disturb her. She then went up stairs again. I then heard the footsteps of a man and a woman over head. I could distinguish the creaking of the boots. In a short time afterwards they both came into the library, where Jane Drew and myself were working. It was in August of last year. Mr. Trevanion was not at home at this time.

Ann Carvelt.—My husband is a shoemaker. I have worked in the garden at Conium for 2 years. I have seen Mrs. Trevanion and Mr. Daubuz walking together hand in hand, in the grounds. I have seen him with his arm round her waist. There is a grotto near a pond. I have seen them there, about 7 months ago. They saw me, and altered their position. There is a building called a pleasure-house. I have seen them there. I also saw them on the hay. On all these occasions, I went home to dinner, and found them in the same state when I came back in two hours. I have frequently seen Mr. Daubuz kiss her. When I have approached them on these occasions, I have heard Mr. Daubuz say "Look, the devil is coming." I do not know that I was called by that name before. Mr. Daubuz seemed generally to be playing with her leg.

Cross-examined.—I came from the work house now. I would not live away from my husband for 1000. I don't get drunk. I have been drunk

at harvest time, when everybody else does. I have danced often enough. I never then showed my knee, I could swear it before ten thousand gentlemen like you, I never mentioned this till a fortnight or three weeks ago. It was in the winter, between 10 and 11 in the morning, that I saw them in the grotto, which is touching the great gate from the high road. There were several people making hay in the field when I saw Mrs. Trevanion and Mr. Daubuz lying in the hay. They both took some hay and put it on the ground, and lay upon it. He had his arm round her neck, and she her arm round his waist. I went away because gentlemen don't like poor folk to look at them. I think his trousers were white. His coat was blue or brown. He had shoes on.

Re-examined.—The people were making hay in the field adjoining—not the same field they were in. They were under the trees, which are very thick.

Richard Player.—I am a livery-stable keeper at Truro. I purchased the hay made at Conium last year. The cocks were put regularly. I missed part of one, and upon looking, I traced it to a place between the trees. It appeared as if persons had lain on it.

Jane Strongman.—assisted in making the hay at Conium, and was on the waggon. As we passed the parlour window, I saw Mrs. Trevanion and Mr. Daubuz. I saw them kiss each other. I could see nearly to her knees. I saw him pull her clothes down.

Cross-examined. I never named this till Monday. I came here on Sunday.

Robert Nicholls.—I know Conium. I was there in the hay season. I saw Mrs. Trevanion and Mr. Daubuz coming from the lane. I did not see in which direction they went, in about an hour and a half. I saw Mr. Daubuz accompanied by a female, about 300 yards of a mile from Conium. I spoke to him, and heard her speak; but I cannot say whether or not, it was Mrs. Trevanion.

This was the plaintiff's case.

Sir J. SCARLETT then addressed the jury on the ship's opinion, whether his friend had proved the case. There certainly had been a great deal of evidence, but when they came to look at each particular head, he would submit there was nothing more than suspicion. It was incumbent on his friend to prove his case clearly. He had not done so. The plaintiff had no right to say he would take several instances, and from them draw an inference.

Mr. Justice PATERSON thought there was a case to go to the jury.

Sir J. SCARLETT then addressed the jury for the defendant. He had hoped that the appeal he had made to his Lordship would have saved them great trouble, and that he would have considered his friend had not made out his case. He had made one amounting to suspicion only, and though that was a just ground of inquiry, yet it was not a sufficient ground for a verdict. He meant this day to ask them for a verdict for the defendant, and thought he had so clear a case upon his friend's showing, that he would not waste a moment of time by talking about damages for if he could assume that they could give a verdict for the plaintiff, he could not possibly imagine they could accompany it with more than nominal damages, because if they should be convinced, as they must be, that a criminal conversation had taken place upon the evidence laid before them, then he submitted the plaintiff was not a husband entitled to ask for more than nominal damages. In all cases of this sort the foundation of the claim for damages was the loss of comfort which the husband had sustained by the seduction of his wife, but when they found a gentleman had been in the habit of leaving his wife without any reason for fortnights, and even three, five and seven weeks, without a friend or companion, and leaving her with those gentlemen he had invited to visit him, he would put it to them that such a husband, had no pretensions to ask for damages, for it was plain he sought for comfort and for pleasure in other quarters and in other places. He would therefore say nothing about damages, but would put it to them whether, upon the evidence they had heard, they were prepared to say that Mr. Trevanion was entitled even to a verdict. It was remarkable that with the exception of the first two or three witnesses called to prove that they lived well together, the whole host of witnesses were persons in the capacity of servants, hay-makers and the lowest of the people; so that this gentleman, a man of fortune, had not one gentleman or lady to prove that his house was visited by ladies for the last three years. He had never known a case so completely without respectable testimony as the present. There was a fact in this case which had made a deep impression on his mind. Mr. Trevanion had put away his wife. When had he sent her away? His friend had not told them that. Upon that occasion had he done so his friend had not stated. Upon what discovery had he done so? That was left doubtful. But this was plain, that a great part of that body of evidence on which they were asked to find a verdict this day, had only been obtained since the action had been brought. They would remember the old woman who had seen so many examples; she had sworn that until three weeks ago she had never opened her lips about it, not even to her husband. The next witness that followed, her declared that until last month she had never mentioned the fact; therefore, whether the facts were true or not, were they the facts Mr. Trevanion was possessed of, when he put his wife away? Certainly not. Did it not strike them as worthy of consideration whether they could give credit to the evidence a man brought forward not as the ground on which he had parted from his wife, but as the ground to justify what he had done? He had sent her away, charged her with adultery, and then in a short time before the assizes his attorney sought the means of justifying what the husband had done. Perhaps he had not seen the object of his inquiry of each witness as to the particular time at which they had made the first communication, and they had heard that the greater part of it had not been made known to Mr. Trevanion till after the time he had put his wife away from him. There must have been some communication which his direction had kept back from them, which had led him to take this extraordinary step. Mary Griffiths had communicated several grounds of suspicion, but upon asking her whether she had been examined

by her master, she said no. All of them had come on the stage after the action had been brought, for they had all given the same answer. How could they tell what had made him send his wife away—who had told him anything? It struck him to be like the case of a man who, being determined to send his wife away, had given her plenty of opportunities of doing indiscreet things, and then sent her away, trusting to the probability of finding evidence afterwards to justify it. He could not account for the extraordinary circumstance of the strongest part of the testimony having been obtained since the period he had made the charge. One witness they had before them was Eudene, who in fact had proved nothing to lay the foundation for this act. He had proved that he was the groom, and that when he came into the service, the defendant was in the habit of visiting his master, and continued to visit at the house when he was from home. Were they to infer from that circumstance that a criminal connexion had taken place? The defendant had been introduced by the plaintiff, and suppose he had come when he was absent, and had stayed late at night, were they to infer from that there was a criminal connexion? No such thing. There would be no safety in human affairs if they were to draw such an inference. He says he one day saw them romping in the drawing-room; but he was, in fact, describing what took place when a lady and gentleman were walking—it might have been perfectly innocent, and without reference to crime, or intention of crime. There was another occasion which was curious; he saw them among the trees, and it seemed that what they had done had been done in the open face of day; he had seen nothing indecent; and were they to infer adultery from this? He imagined not. But how could it be had never told his master of this?—With regard to the statement of the alleged liberties, he submitted, that when they were all put together they would not make out the crime. When the improbability of the circumstance of Pill would never make them draw an inference of guilt. Was this sufficient to induce a jury to come to a verdict? He thought they must have extraordinary imaginations to jump to such a conclusion. Such things were possible; but they were not to give a verdict because they were possible. Consider the risks they would run—a sofa would do as well as a bed. If they should call upon a lady, and stay with her 20 minutes, in the drawing-room, why the same inference might be drawn. In another part, a woman might not go into her bed-room and lock the door without a suspicion that a man was with her. But they were asked from that circumstance to imagine that the defendant was in the room with her. Then, as to the bed in the spare room being rumpled, was there no one in the house but Mrs. Trevanion and the defendant? Why go into the spare room when there was her own bed-room? Then there was Mary Salmon, was she a witness to be believed on her oath, who, when she found a question adverse to her case, declined answering it. Then came the important facts proved by the "old devil." If what she had stated was true, he admitted it was conduct unbecoming a married woman; but unfortunately for her case, she had proved that which made it impossible for criminal intercourse to have taken place. It was a very strange thing for people to go phantasmagoria in the face of, when there was a warm house without any husband in it. Once they saw her coming, and he said "Here comes the old devil." Another woman had wound up her imagination that he went into Mrs. Trevanion's bed-room because she saw him going up stairs, and once she had taken a gentleman into her bed-room to see a new holiday dress she had bought. His friend had been going to prove what the song said "Up stairs, in my lady's chamber." The whole of the plaintiff's case was bottomed on suspicion, by an industrious collection of little circumstances, which, if they knew the whole, might be satisfactorily explained, but if they did not satisfactorily lead them to the conclusion that the fact had been actually committed, the defendant would be entitled to their verdict. No one felt more strongly than he did the right a husband had to complain when the peace of his family had been invaded by an adulterer, who sought his victim only to gratify his passion, regardless of the husband's feelings; but however sacred the connexion between man and wife, which ought not to be disturbed, yet there were cases in which the blessings of a married life became its curse, and the parties so conducted themselves as to disentitle the one and the other, to any claim to damages, or even to a verdict; and it was for them to say whether this was not such a case. He did not mean to say that mere negligence or want of thought would be a sufficient ground to take away the claim to a verdict, but it went to diminish the damages. If the husband throw away the treasure which might have been his happiness—if he neglected his wife in the manner this plaintiff had done, he was not entitled to damages, though, in point of law, he would be entitled to a verdict. But there was a degree of negligence so great, which might be carried to such an extreme as to leave no doubt he had given a licence to that wife to do as she pleased, and he now sought for a separation for an act she had done with his permission; and the husband who pursued that line of conduct was not entitled to a verdict for the man who tried, by base and dishonourable means, to obtain a separation by the shame of his wife at the expense of his friend, was not to be protected by the law. He (the learned counsel) was doing nothing more than performing a painful duty, which he should have been glad to have been relieved from, and he must say before them his case. He must say, that according to the plaintiff's evidence, he had found that for which he had been long seeking—an opportunity of separating from his wife. There were several cases in which the doctrine he had stated had been laid down. Sir R. Worsley had been very much flattered by the beauty of his wife, and had thought fit to give a man an opportunity of seeing his wife naked when she was bathing. Lord Kenyon here determined that he was not entitled to a verdict; and it was every day's experience, that when a husband gave his wife a licence, he should not have a verdict; he could not complain of it afterwards. This was the character of the present case. Sir J. Scarlett then gave a history of the case he should prove. He read the following letter of the plaintiff to the defendant on the subject of re-

ports he had read:—

"Conium, Saturday, 18.
"Dear Daubuz,—I have been much hurt and annoyed by reports, which unfortunately have reached me, although I need not say how thoroughly I am convinced of their fallacy, but people seem to talk much of your intimacy here, and the friendship and good feeling which exists between Mrs. Trevanion and yourself has become the subject of conversation, among some of our worthy neighbours, who couple it with harm. I leave it then to that same good feeling to direct you as to the path you ought to pursue. It is painful for me to write on this unpleasant business; the manner, however, in which the report has reached me, has made it imperative upon me to notice it, false and groundless as it may be.
"Believe me to remain, yours sincerely,
"J. C. TREVANION.

"To Wm. Daubuz, Esq.
That a report had reached him of criminality was quite certain. He dared say they would remember a comedy where Benedict and Beatrice, by a conspiracy, were each told that the other was in love with them, by which a marriage was brought about, and he could not help thinking that was the motive of the plaintiff's conduct in writing this letter, telling him to be very cautious, and giving the same advice to his wife, until they each began to imagine something. The defendant had written some letter to the plaintiff, which produced the following answer:—

"Conium, Saturday morning.
"Dear Daubuz,—I cannot, without the permission of the parties, give up their names. I have no doubt, however, that on my application I shall be able to give you the information you require. I assure you that the instant that permit me to do so, I will instantly write to you as I am as anxious as yourself, that the authors should be discovered.
Sincerely yours,
"J. U. TREVANION."

"Wm. Daubuz Esq., Truro.

The defendant came to visit at the house, but the first thing the plaintiff did was to invite him and beg him again to visit them; instead of allowing this young man to pursue the honourable course of absenting himself, he brought him back again, and alleviated his intimacy. He used to go to bed at an early hour, leaving his wife and the defendant to sit up alone together. Where, then, was the man who could doubt the plaintiff's intention? He treated his wife in the most unkind manner, and this he should prove by persons who had an opportunity of continually seeing them. He should then show them the cause of his absence from home; that he visited a Mrs. Witherington in London, and had actually taken two of her portraits and left them at his wife's mother's. The plaintiff has thrown considerable obstacles in the way of proof, by sending the servants of Mrs. Witherington away, after they had been subpoenaed, and they were not to be found. He would not detail to them the terms upon which he visited Mrs. Witherington; but do not let them suppose that he had quitted his wife to be satisfied with one female only; he should prove that he visited another. He should prove this for the purpose of showing that this man was anxious to get rid of his wife; but the law would not permit a man to do it by such means, and then to ask for damages. If they were of opinion that this was the design of the plaintiff, they would not give him a verdict. If they thought he had abandoned her, had left her, and then betrayed her for the purpose of getting rid of her, the defendant would be entitled to their verdict.

Charlotte Stookwell.—I have lived with Mr. Brereton as lady's maid for 5 years. She is unfit to travel. I lived with her in 1831, when Mrs. Trevanion and her husband were at Bromton. He dined there when he was at home, which was not often. Mr. Trevanion always spoke to his wife very harshly and unkindly. She was in tears nearly the whole time she was at Bromton. One day she was in hysterics. Her mother said she never saw her in them before; but Mr. Trevanion said "She often has them now." When she got a little better, he said, "Don't be so foolish, Charlotte." She pushed him away and said, "It's all your doing, John, you are the cause of all." They were far from being happy. Ann Barber lived there as nursery-maid. She was rather good looking. I have often heard Mr. Trevanion appoint a time with Ann Barber when he would come home in the evening; and I have often seen them whispering together. They could not see me. Ann Barber afterwards had orders to leave, and Mr. Trevanion did not come there for a short time. Ann Barber, to all appearance, was in the family-way when she went away. I once heard Mr. Trevanion say to Mrs. Trevanion, "I wish God I was going to get rid of you instead of her." The morning Ann Barber was going away, I heard Mr. Trevanion say to her, "Don't fret, you shall hear from me or see me soon." He was then getting in the carriage, and Mrs. Trevanion was inside, Ann Barber was crying at the time, and had been for some days. We afterwards went to Southsea. Mr. and Mrs. Trevanion came. He never went out with her but once. He took her to the ball there, and soon after came home, left her there, and went to bed. Mr. Daubuz shortly after came, when Mr. Trevanion said, "My dear fellow, I hope you are come to stay." One night Mr. Trevanion came down stairs and stayed all night in my room. They in general slept together in our house. He was always unkind to her. There were two of Mr. Witherington's portraits at Mrs. Brereton's.

Cross-examined.—I saw the pictures sent back by Mrs. Brereton's man-servant. Mrs. Trevanion has been living at her mother's ever since she left Cornwall. I was on the ledge when he whispered to Ann Barber.
Lewis Charles Daubuz.—I am a brother of the defendant. I recollect Mr. and Mrs. Trevanion coming down to Cornwall. Our families became very intimate. Mrs. Trevanion went to town with my brother and sister from Park. I know these two notes were delivered within ten days of the 8th of May, 1832. I believe this note to be Mr. Trevanion's hand writing. (A note dated the 27th of January, 1831, is in the plaintiff's hands. Brereton, requesting her to give up Mrs. Witherington's portraits, was read. The letters alluding to the reports were also read.) After this correspondence my brother forbore his visits to the plaintiff's house. Plaintiff came home some weeks afterwards, and sent

very pressing invitation to my brother, and he renewed his visits.

Cross-examined.—I knew where my brother was 9.10ths of his time, although I was not always with him. Plaintiff said to my brother "Nonsense, my dear fellow, come up and visit us as usual."—The friendship between the families then continued till Mrs. Trevanion was sent away. It did not continue with the female branches.

Mrs. Jane Wills.—I live at No. 1, Manchester-street, Manchester-square. Mrs. Witherington has lived three times at my house. The plaintiff used to visit her there. She had two drawing-rooms and two best bed-rooms. One of her children and her servant were with her. Plaintiff has stayed with her till 11 or 12 o'clock. Have known him sup there. He once ordered supper—grilled turkey, scolloped oysters, and champagne. They had been to the Opera. I think I went to bed before he left. Other gentlemen visited Mrs. Witherington—a Mr. Walker and a Mr. Hillier, who, I believe, is at the bar. (Great laughing.) Not many ladies visited her. Other gentlemen supped there. Plaintiff gave three sovereigns for the supper he ordered; it was last Christmas. He used frequently to visit her. She is Colonel Witherington's widow. A doctor took the lodgings. She has had one child since the Colonel's death. She left my house about the 14th or 15th of July. Her servant's name was Ann Warner; she and another servant were subpoenaed by Mr. Follett. Plaintiff was there three times on the day Mrs. Witherington left. She was hurried off. He came between 12 and 1 o'clock at night on the 14th, and stayed about an hour. He returned next day at 12, again at 2, and again at 4. He inquired whether Mrs. Witherington was gone; he said she would be at Chelsea tomorrow evening at 5 o'clock. I saw her two days after in Upper George-street. I do not know where she is now. The other servant, Elizabeth Beck is sent to Paris. Mrs. Witherington had a child in March last.

Cross-examined.—Mrs. Witherington came to my house as a respectable woman. These gentlemen called upon her as friends. To my knowledge nothing improper has taken place. I believed her to be respectable. I do not know that the plaintiff visited her for licentious purposes. I have never let lodgings to women of improper conduct. I have learned that Mrs. Witherington and her servant are living at Shepherd's-bush; no inquiry has been made of me; all the persons who called on Mrs. Witherington were respectable. Her husband had been dead two years.

Mr. Francis Pasingham.—I live at Truro, and am a solicitor. I have been acquainted with and visited Mr. and Mrs. Trevanion for some years. I received an invitation to dine at Conium on the day of the Holston ball; he asked me to return to Truro with him, but it was not convenient to me, and he again solicited me. I said "If I go back to Truro with you, how shall I go?" He answered "You will go back with us in the carriage." I said "There will not be room." I said "If I go back with Mrs. Trevanion, I'll run away with her." He said "I wish to God, my dear fellow, you would." I frequently met the defendant at Conium. Mrs. Trevanion has gone out riding with me, when Mr. Trevanion remained at home.

A party was made to go to Falmouth, Mrs. Trevanion went in a close carriage. Talking of the way we were to go back, Trevanion said he would go home in the close carriage with the ladies, and nodded to his wife, "Charlotte, Daubuz can drive you back," which he did. We got back at 6 o'clock in the evening. I have been left at home with Mrs. Trevanion alone, when the rest of the party have gone out. On Mrs. Trevanion complaining of a headache at dinner, he said, "Oh, Charlotte, you are evidently in love, and have lost your appetite." Mr. Trevanion's conduct was not that of an affectionate or careful husband.

Cross-examined.—My sister was at dinner at the time that observation was made. I am a single man.

Jonathan Peters.—I have known the plaintiff since he was a boy. I used to visit him. I thought his behaviour to his wife was unkind. I heard him once say of his child after dinner, "How ugly this child is getting, it's getting like Mrs. Brereton." Mrs. Trevanion seemed very much hurt, and said, "I never heard anything so brutal." I believe many of us showed indignation by our countenances, and he said nothing more. They appeared to live by no means on affectionate terms. He told me he invited so many people to his house because he was miserable when alone with his wife. He did not pay that attention to his wife that I should wish to pay to mine, if I had one, but I unfortunately have not. I have seen Mrs. Trevanion take a bottle off the fire, and Mr. Trevanion said, "Ah, my dear, if William Daubuz was here, you would not have to take the kettle off the fire." Fortunately for my credit I was on a very low stool, and could not get up. This was two years and a half ago.

Cross-examined.—I have scarcely visited them during the last two years. The frequency of occurrence of unkindness obliterated any particular occasion.

Mr. Serjeant Wilde.—I now call upon you to repeat any one unkind or harsh expression you ever heard Mr. Trevanion say to his wife in your life.

Witness.—I have given you the only instance. Sophia Gordon.—I am living in the service of a lady at Gounaught-square. My mistress has no husband living with her. She bears the name of Mrs. Stewart. I have seen a Captain Stewart at the house. She is visited by gentlemen. Mr. Trevanion has visited her at times. She has ridden out with him, using his horse. Ladies visit her. Gentlemen do not call upon her at night. The plaintiff generally called at 5 and half-past 5, and stayed about half an hour. Her dinner hour is 6.

Cross-examined.—Other persons have been there when Mr. Trevanion called. She never rode out with Mr. Trevanion alone.

Re-examined.—Mr. Trevanion never supped there. She is young, handsome, and rides well. No one ever slept there.

James Drew.—I live with Mrs. Trevanion. I went into her service on the 29th of May, 1833. The defendant often visited my master. He never dined there. He came about 7 or 8 o'clock in the evening, and never stayed later than 11 o'clock. My master used to go to bed and leave defendant with my mistress. I once went into the dining-room, and found my master lying on

the sofa. Mrs. Trevanion was sitting on the sofa. They did not sleep in the same room. They treated Mr. Daubuz very kindly. Mr. Trevanion was very intimate with my master. My master has very frequently gone to bed and left him up with my mistress. My master was as gay as ever after he heard of this.

Cross-examined.—I can't tell any one occasion of any unkind expression, except when my mistress was getting into bed one night, he said "Good God, Charlotte, you're like a great horse coming into bed;" and another night he said "God—n it, Charlotte, what noise you make," I heard in the house that my master had ordered that Mr. Daubuz should not be admitted. We called Mr. Daubuz "Squarefoot." Mistress gave me a ring and an apron. I once saw a little crease in the counterpane. It was not tumbling. It was as if some one had been lying on it. It is not a fair question to ask, who I thought did it.

Thomas Edwards.—I am a servant to Mr. Daubuz's father. I remember Mrs. Trevanion living at Park. There was a dinner party at Mr. Daubuz's. Mr. Daubuz drove her home.

Richard Taylor.—I have known Mr. Trevanion two years, but not been intimate with him till January, 1833. I met him at Mr. Daubuz's, and he proposed my returning to his home, and being introduced to the ladies. I went, and saw Mrs. Trevanion and Miss Pasingham. After that time I had frequent invitations from him, and passed a good deal of time there. I recollect, in December, 1833, or beginning of 1834, Mrs. Trevanion said, "Taylor, if you write love letters, I can tell you how to begin, with 'My beloved.'"

Trevanion asked her what she meant? She said, "That's the way you begin yours." He first said he did not write any. She said she was sure he did, for she had seen one lying on the table beginning in that way. He got very angry, and asked her what it signified to her whom he wrote to, he did not interfere with her love letters? She said she wrote none. He said, "You know you correspond with Wm. Daubuz." I recollect seeing a box of old rings she had. This was one I took out. I kept it about a fortnight. One day she asked me to let her look at it, and she then said, "You shall have it." (She had given this ring subsequently to Jane Duan.)

I was one day much engaged in writing letters. I heard angry words pass between Trevanion and his wife; she left the room afterwards. He then said to me, was afraid we should have no tea, as Charlotte was gone off in a peck, and requested me to go and induce her to return. I went into the library, and found her in tears and much agitated. She came in and made tea. Daubuz came in the evening and played at cards. His general conduct to her was frequently irritating and unkind. When Daubuz and I were present, Trevanion remained up as long as Daubuz remained. He has left me up with Mrs. Trevanion alone, and he has gone to bed. He told her once her waist would be off. She replied (in joke) "What would you do without me and my money?" He answered, "I wish I had never seen you." She complained of the difference in his conduct at that moment to what it was. At a dinner party, a short time before he had said to her "Charlotte, what a d—d beast you are." He said, "One before Taylor it does not signify." I have been in her bed-room to see a ball-dress which was on the bed. Trevanion was in the dining-room. He did not act with proper care and circumspection towards his wife in leaving her so frequently alone. Once he returned unexpectedly, and she asked him the reason of it. He said he had heard something which he could not mention before strangers. I took up my hat and left the house. In the following week I called on him, when he told me his return was occasioned from some reports he had heard respecting Mr. William Daubuz and Mrs. Trevanion.

Cross-examined.—I may have said on the occasion that if Mr. Daubuz had betrayed Mr. Trevanion's confidence, he was a villain.

Rev. John Daubuz.—I went to see Mr. Trevanion's children at Pill. After we had dined, I put the little boy in the boat. After I had pushed off I saw the other child, who began to cry to come on board. I hesitated. Mrs. Trevanion looked out of the bed-room window and spoke to the little girl, and Mary Griffiths ran out to ascertain the cause of the child's crying. Mrs. Trevanion said if Mary would bring out her bonnet I might take her. Mary said she would go also. Mrs. Trevanion continued at the window all the time. Mary Griffiths then came on board with the child, I rowed opposite the cottage, and Mrs. Trevanion continued talking to them from the window. I was out of sight of the cottage window afterwards for ten minutes. I saw my brother at the bed-room window also.

Mr. Serjeant Wilde then addressed the jury in reply for the plaintiff. He rose with very great anxiety, fearing that he might be unable to do justice with regard to the character which he thought belonged to the case. They would observe his learned friend had divided the case into parts; first, he asked had the defendant committed adultery with Mrs. Trevanion? secondly, had Mr. Trevanion been a consenting party to the commission of that act? and thirdly, what was Mr. Trevanion's claim to damages, if he had established the adultery; and was freed from the scandalous imputation of having made himself a party to the same dishonour? These were three heads which were morally distinct. Undoubtedly it had been the practice when a man came for justice and complained that another had brought dishonour upon him, and had so conducted himself towards him as to make him the subject of observation and contempt, for the defendant to endeavour to make that the opportunity of heaping rain and disgrace upon him. Instead of standing in the situation of a man having committed a great moral crime and also inflicted a great civil injury, he sought to withdraw himself from his own trial and put the husband in the situation he ought to be in himself. That that had been done on the present occasion he thought they would have up doubt. He hoped he should deal fairly and candidly with the case, because he felt his friend had forfeited his claim to their credit by insulting their understandings, that he (the learned counsel) wished to take warning from the course he had taken, and hoped to gain credit with them by not attempting to triffl with their understanding and experience, but give them credit for

... could have had the courage of his friend's attempt to compare this case with *Much Ado About Nothing*? What could they think of the man who would put this letter in his pocket, and say another day, should anything happen, "I will show he suspected me, and I will make everybody believe, that when he challenged my honour, he meant to go on and prosper." The plaintiff had given him credit for being a man of sincerity and honour, and received him into his house notwithstanding this caution. He received him, not after he had doubts of his honour, but after he had the strongest confidence in it. The defendant had kept this letter, and the use he had made of it they had seen this day. It was most unhappy when a man was injured by the seduction of his wife that he was to have every scene of this life in the most guarded hour, when in the retirement of his own dwelling, brought forward on a sudden by witnesses with good memories, and by a man seeking to avail himself of all that assistance that the wife could give to perfect the work he had begun. It was hard to have these conversations after dinner brought forward at distant times without notice, without intimation, and to be attacked in a manner like the present, under circumstances when it could not be repelled. The defence was evidence of the defendant's guilt, because he came prepared to meet facts of which if he had not been guilty he would have known nothing, and he knew at once where to turn for this evidence. He had then Mr. Parnham, Mr. Peters, and Mr. Taylor. Mr. Parnham visited and stayed at the plaintiff's, and was treated as his friend, and he came there to help the defendant to face a charge of suspicion against the plaintiff. But let them see if there ever was anything so frivolous. Plain if said to his wife, "I am not well, and William (the familiar and friendly way he was addressed by the plaintiff) can drive you home." Was that an act of coyness? He drove her home in a gig, accompanied by his friends, and if he could trust the defendant any where, surely he was safe then. Such a suggestion was harsh and cruel, and disgraceful in the extreme. Mr. Parnham, a gentleman who he should have thought would have felt what belonged to his friend's dinner-table, who he should have thought would have considered any employment better than endeavouring to pick up sentences, what did he say? Why, he should run away with the plaintiff's wife, and this was brought forward by the plaintiff's friend as a serious declaration that he should run away with his friend's wife. What state of society were we in? Could anyone live without hearing jests more strong than this? Did any husband being drawn that it was intended in earnest? He wished to know if it was the law that a seducer might first withdraw the affection from the husband, and then watch for expressions to palliate his own misconduct. The evidence relative to Mrs. Witherington and Mrs. Stewart had completely failed, as no misconduct had been proved on the part of the plaintiff with either of those parties. The learned judge said he had made no observation that had not the sanction of his own understanding, and he trusted it would meet with theirs. He then stated that the defence attempted called upon the jury to give heavy damages.

Mr. Justice Patteson then summed up the case to the jury. It was unnecessary at this late hour for him to keep them by reading over the whole of the evidence. It was necessary they should be satisfied that on some occasion an act of adultery was committed, of which, looking at the evidence, he thought there could be little doubt. The answer was, that the plaintiff had exposed his wife to temptations, not merely by negligence but by design. If he had done so by design, it went to the verdict, because unquestionably the plaintiff could not maintain an action if the jury were satisfied that the husband had lent himself designedly to his own dishonour. If they were satisfied that he did expose his wife to temptations, that she might fall into the snare, then the defendant was entitled to a verdict; but if he was only guilty of want of caution, then it only went in reduction of damages; or if he had been guilty of improper intercourse with other women, that went only to diminish the damages. The jury consulted together for about 10 minutes, and then returned a verdict for the plaintiff—Damages one farthing; which will carry costs.

The case lasted from 9 in the morning till, eleven at night.—*Times*.

EXECUTIONS IN LONDON.

As we intimated a few days since, the late sheriffs of London and Middlesex have closed their year of office, without having been once called upon to put in force the last extremity of the law—an event which is hailed by the Livery in Common Hall, as we are sure it will be by the whole kingdom, as an auspicious distinction above former shrievalties, proving at once the absence of the highest crimes, the clemency of our beloved Sovereign, and the increase of humanity of the British laws. If mercy be the brightest jewel in a Monarch's crown, certainly his present Majesty possesses it beyond any of his predecessors, even in his own family. And in this, we are not guilty of using an over-strained compliment in saying, is a merit which belongs to the King quite independent, as in other cases, of his constitutional advisers. By a singular anomaly the cases of condemned prisoners in London and Middlesex undergo the revision of the King in Council. We are justified in calling this an anomaly, for why the King or the law should be apparently more tender of the lives of metropolitan culprits than offenders in other counties, it is impossible for human ingenuity to imagine. It would be found, we suppose, imputable to some antiquated privilege of the Corporation of London; but which, in practice, we believe, has, in our time, at least, worked a result directly the reverse of what might be expected. This we think must be apparent from the statements which we published a few days since of the public executions which have taken place in London during the last 18 years; from which it will be seen, that from the moment of his present Majesty coming to the throne, a marked diminution in the number of public executions took place; for while in the last year of his predecessors the number was 28, the total number in the whole five years of William the Fourth has only been 17, and these gradually diminishing from six in the first year to the unexampled result which has marked the conclusion of the late shrievalty! That the improved spirit of the age has had much to do with this altered state of things cannot be denied; nor, on the other hand, ought the country to be insensible to an advantage not possessed in all other departments of the State, the advantage of pos-

sessing a Monarch who has thus proved himself in advance of that spirit, and whose anxious desire it evidently is to execute justice in mercy. On the other hand, it is not less satisfactory to know that the auguries of those who have been advocates for a perseverance in our sanguinary system have in no respect been realised, but, on the contrary, totally controverted by the fact. We were told that our cries for a more merciful dispensation of the laws were mere piling humanity—that if we succeeded the floodgates of crime would be thrown open, and that it was only the gibbets and the halter which were the real safeguards of society. But what say the Livery of London, who are composed of a class very well able to appreciate the result? They tell us, and tell us truly, that at the end of four years of comparative abstinence from execution, at the end of a fifth, in which not one has taken place, there is an absence of all crimes of the higher order; thus proving incontrovertibly that public executions only hardened men's hearts, and instead of deterring them from crime rather incited them to its commission. Who is there, then, that must not now hail this triumph of reason and humanity over the blindness and reckless indifference to human life, which marked the period through which we have passed?—*Morning Herald*.

COURT OF REQUESTS.—CITY.

NOTWORTHING OF THE MUSES.—Edward Forburn, a dramatist, residing in Milton street, was summoned before the Commissioners for the sum of 11. 8s. 6d. the price of fifteen sheep-heads, and a vast number of trotters.—The bill, it appeared, had been running on for a great length of time, the defendant having obtained credit upon the representation that the losses of the two great theatres had accepted, and promised from time to time to perform, a tragedy which he had consumed full half of his life in writing. The plaintiff sold other delicacies, which the defendant might have had if he had fastened them, instead of the heads and heels; but whatever was the cause of it, no order ever reached the shop from the poet which did not particularize one or the other of those dainties.—Edward Plaiton, the plaintiff, stated that he had indulged the defendant with a much longer tally than he was in the habit of scoring, and would have even trusted him longer had not a very ugly trick been played upon the house by the advice of the defendant, who could not check his inclination to put people in very unpositional situations. The tale in "Jemima" had been flourishing greatly, when one morning, as the cellar door was up for the purpose of receiving a new half hundred, a fellow emptied a sack of horse's heads right into it, and said, "When you're used these, Mr. Plaiton, I'll bring you another eighteen-pennyworth." (Great laughter.) Mr. Forburn: Upon my honour, I never was capable of playing you so villainous a trick. Whatever fun I may occasionally cause, I take care that it is never mixed up with mischief.—The plaintiff: I have a doubt on it. What made you begin to laugh before the man was within twenty yards of the house, if you did not know what he had in the sack? Why you laughed at to bust (laughter).—Mr. Forburn: It was at the comical appearance of the man that carried the heads. He laughed so immediately as he walked, and everybody knows the power of sympathy.—The plaintiff: The power of the devil! I never seed you cry when other people cried; not a bit of it. I'm blest if you don't laugh more now when others are vexed.—Mr. Forburn: If I were given to shed tears I'd have employment enough in your house when I look at your poor wife. (A laugh.)—The commissioner: You don't deny the debt?—Mr. Forburn: Certainly not. There isn't a more honest man breathing. I never got better sheep's heads in my life than at his shop, and I seldom touch any other meat.—The plaintiff: You won't get any more of my meat. Talk to me of cutting and blowing out a half-starved donkey by way of a calf! It's not half so bad as a horse's head, and then twelve on 'em to be shot in amongst my wholesome wittles! (great laughter.)—The commissioner: Well, we have nothing to do with that question. We suppose that Mr. Forburn is not able to pay the amount he owes you. He has very frankly admitted the debt. Now what time will you give him?—The plaintiff: If he had't come down upon me with the horse's heads, he should have had his own time; but you see people says as they pass, "I say, master, ha' you got any stallion worth to-day?" (laughter.) It's quite unbearable. It was only yesterday, a coal-heaver as belongs to the unions was smoking of his pipe, and he says to another as was doing of the same thing—says he, "I say, Bill, there's the man that looks like Sampson, for I'm blowed if he can't kill us all with the jaw-bone of an ore." (Laughter.)—Mr. Forburn: It is useless to try to remove this impression from my mind. I am willing to pay a shilling a week until the whole is liquidated. You see, gentlemen, by my dress, that I have had a hard wrestle with misfortune. She not only proved too strong for me, but she gripped me so hard, shoulder and elbow, as to leave the marks of her nails in my garment. Aye, she is a very tyrant, for she will not leave me a stitch of clothes either upon my back or my stomach. The sheep's head merchant acquiesced; and the unfortunate poet, who, if he any longer depend upon the production of his play for a subsistence, will doubtless have to shift his custom to the sacker, betook himself to the shelter of the "academic bowers" of Milton street. *Examiner*.

POPULARITY OF MILTON AND SHAKESPEARE.—The English nation themselves by a pretence that Shakespeare and Milton are popular in England. It is good taste, indeed, to wish to have it believed that these poets are popular. Their names are so; but if it be said that the works of Shakespeare and Milton are popular—that is, liked and studied—among the wide circle whom it is now the fashion to talk of as enlightened, we are obliged to express our doubts whether a greater delusion was ever propagated. Not a

play of Shakespeare's can be ventured on the London stage without imitation—and without the most revolting baldness, foisted into the rents made by managers in his divine dramas; nay, it is only some three or four of his pieces that can be borne at all by our all-intellectual public, unless the burthen be lightened by dancing, singing or processioning. This for the stage. But is it otherwise with the reading public? We believe it is worse; we think, verily, that the apprentice or his master who sits out *Othello* or *Richard* at the theatre, does get a sort of glimpse, a touch, an atmosphere of intellectual grandeur; but he could not keep himself awake during the perusal of that which he admires—or fancies he admires—in scenic representation. As to understanding Shakespeare—as to entering into all Shakespeare's thoughts and feelings—as to seeing the idea of *Hamlet*, or *Leontes*, or *Othello*, as Shakespeare saw it—this we believe falls, and can only fall, to the lot of the really cultivated few, and of those who may have so much of the temperament of genius in themselves, as to comprehend and sympathize with the criticism of men of genius. Shakespeare is now popular by name, because, in the first place, great men, more on a level with the rest of mankind, have said that he is admirable, and also because, in the absolute universality of his genius, he has presented points to all. Every man, woman, and child may pick at least one flower from his garden, the name and scent of which are familiar. To all which must of course be added, the effect of theatrical representation, be that representation what it may. There are tens of thousands of persons in this country, whose only acquaintance with Shakespeare, such as it is, is through the stage.—*Quarterly Review*.

THE ORIGINAL OF THE STORY OF COLONEL KERR.—A governor of Zealand, under the bold Duke of Burgundy, had in vain sought to seduce the affections of the beautiful wife of a citizen. The governor imprisons the husband on an accusation of treason; and when the wife appeared as the suppliant, the governor, after a brief eloquence, succeeded as a lover, on the plea, that her husband's life could only be spared by her compliance. The woman, in tears and in aversion, and not without a hope of vengeance only delayed, lost her honour! Pointing to the prison, the governor told her, "If you seek your husband, enter there, and take him along with you!" The wife, in the bitterness of her thoughts, yet not without the consolation that she had snatched her husband from the grave, passed into the prison; there in a cell, to her astonishment and horror, she beheld the corpse of her husband laid out in a coffin, ready for burial! Mourning over it, she at length returned to the governor, fiercely exclaiming, "You have kept your word; you have restored to me my husband! and he assured the favour shall be repaid!" The inhuman villain, terrified in the presence of his treacherous victim, attempted to appease her vengeance, and more, to win her to his wishes. Returning home, assembled her friends, revealed her whole story, and under their protection she appealed to Charles the Bold, a strict lover of justice, and who now awarded a singular but an exemplary catastrophe. The duke first commanded that the criminal governor should instantly marry the woman whom he had made a widow; and at the same time sign his will, with a clause importing that should he die before his lady he constituted her his heir. All this was counteracted from both sides, rather to satisfy the duke than the parties themselves. This done, unhappy woman was dismissed alone! The governor was conducted to the prison to suffer the same death he had inflicted on the husband of his wife; and when this lady was desired once more to enter the prison, she beheld her second husband headless in his coffin as she had her first! Such extraordinary incidents in so short a period overpowered the feeble frame of the sufferer; she died—leaving a son, who inherited the rich accession of fortune so fatally obtained by his injured and suffering mother.—*D'Israeli's 'Curiosities of Literature'*.

—Colonel C—, who was head and ears in debt, when stationed at the Tower, was told by his servant that a person wanted to see him on particular business. Requiring a description of the announced, the reply was, "A man of colour." "Oh! say no more," said the Colonel, "I know what colour—it is a dun."

EFFECT OF FEAR ON A TIGER.—A correspondent transmits to us the following curious anecdote, which was extracted from a letter received from India:—During the dreadful storm and inundation in Bengal, in May, 1833, the estates of a Mr. Campbell, situated on the island of Sanguar, at the entrance of the river Hoogly, suffered so greatly, that out of three thousand people living on his grounds, only six or seven hundred escaped, and these principally by clinging to the roof and ceiling of his house. When the house was in this close crammed state, with scarcely room in it for another individual, what should come squeezing and pushing its way into the interior of the house but an immense tiger, with his tail hanging down, and exhibiting every other symptom of excessive fear. Having reached the room in which Mr. Campbell was sitting, he nestled himself into one of the corners, and lay down like a large Newfoundland dog. Mr. Campbell loaded his gun in a very quiet manner, and shot him dead on the spot.

A Court-martial was held on board the Victory, on Wednesday, to try Mr. Alexander Lawrence, surgeon of the brig Buzzard, for having been guilty of acts of drunkenness, between the time of joining the brig and the 11th instant. The Court having heard the witnesses for the prosecution, and what the prisoner stated in his defence, was of opinion, "That the charge against the prisoner had been proved; but it appearing that, whilst in practice on shore, he had received a severe hurt on the head, which was followed by fits of epilepsy, and injury to his intellect, they were induced only to sentence him to be dismissed from the brig, and to have his name placed at the bottom of the list of Surgeons of his Majesty's Navy, upon which list he is never to rise."

BOMBAY.—Printed and Published for the Proprietors, at the Gazette Press, No. 1, Nesbit Lane Fort, by NOWROOJ HORMUSJEE, where all communications addressed to the EDITOR, are received.